STRATAGEM AND THE VOCABULARY OF MILITARY TRICKERY

BY

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In Memoriam

Esther Wheeler
(1911 - 1981)

Newland E. Wheeler
(1905 - 1987)

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PREFACE

The following study represents an essential prolegomenon to a much larger project begun in late 1979 on the history of the concept of stratagem in ancient military theory and international law. The *Strategemata* of Frontinus and the *Strategika* of Polyaenus, though often derided as historical sources, actually constitute the only surviving specimens of an entire genre of Classical literature—the collections of stratagems. Previous scholarship has concentrated on *Quellenforschung* and the historicity of individual anecdotes in these works without coming to grips with this lost genre's intellectual background, the broader questions of what a stratagem is and how it functions, the role of stratagem in ancient military thought, the legal ramifications and justifications of stratagem in ancient political theory and international law, and the connections of stratagem with ancient religion, philosophy, historiography, and ethnography. Only Friedrich Lammert's relatively brief article of over fifty years ago can be cited as an attempt at a conceptual approach to the topic.[1]

Surprisingly, the same *Zeitgeist* which prompted my work also seems to have awakened others to the paucity of meaningful studies of stratagem as a concept. In 1979 Walter E. Kaegi bemoaned the lack of interest among military historians in ruses, surprises, and their effectiveness, and W. Kendrick Pritchett called for investigation of ἀπάτη in Greek society and for an explanation of the apparent reluctance in Greek warfare to employ deception despite its possible advantages. Three years later appeared the work of Giovanni Brizzi, in which Roman attitudes toward stratagems and their Roman use in the early and middle Republic assume a prominent role.[2]

Any attempt to write the history of a concept must pay particular at-

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[1] "Strategemata," *RE*, Reihe 2, 4 (1931) 174–81 cf. his "Polyainos 8," *RE* 21 (1952) 1432–36. For earlier scholarship on Frontinus and Polyaenus see Gerhard Bendz, Frontin, *Kriegslisten* (Schriften und Quellen der alten Welt 10: Berlin 1963) 14; Friedal Schindler, *Die Ueberlieferung der Strategemata des Polyainos, SAWW* 284 (1973) Abh. 1.

[2] Walter E. Kaegi, "The Crisis in Military Historiography," *Armed Forces and Society* 7 (1981) 311; W. Kendrick Pritchett, *The Greek State at War*, III: *Religion* (Berkeley 1979) 330; Giovanni Brizzi, *I sistemi informativi dei Romani: principi e realtà nell' età delle conquiste oltremare* (218–168 a.C.) (Historia Einzelschrift 39: Wiesbaden 1982).

tention to the language of that concept: how is the idea expressed? What are the nuances and the tone of the words describing it and associated with it? Does the concept employ a specialized technical vocabulary? These questions become especially relevant for the intellectual history of antiquity, in which no modern scholar of course has the luxury of dealing with his own language or his own society. Pritchett's call for a study of *apate* points scholarship in the right direction. A philological inquiry is an indispensable first step in studying the history of stratagem as an idea. In fact neither the history of στρατήγημα as a word nor the vocabulary of stratagem as a concept has ever been attempted. Moreover, in casting a broader glance at the field of Graeco-Roman literature as a whole, no comprehensive study of the Greek and Latin vocabulary of trickery exists.[3] The present work in tracing the use of *strategema* and surveying the vocabulary of stratagem can partially fill this gap in scholarship and serve as an introduction to further research on Graeco-Roman views of trickery and its vocabulary.

Brizzi's monograph offers a further stimulus for this study. Building upon the contentions of R.M. Ogilvie that all Roman stratagems found in the first five books of Livy are unhistorical inventions of Roman analists, Brizzi accepts the propagandistic view of the Roman tradition that Romans were the morally upright people of *fides* who abhorred trickery and stratagems, indeed remained ignorant of them, until the Second Punic War, when they learned the value of stratagems from Hannibal and Greek ideas of unscrupulousness made inroads on the Roman mentality. In Brizzi's view Roman thought and the Latin language before 218 B.C. lacked both any concept of stratagem and therefore any word of positive tone which could be equated with *strategema*.[4]

Although refutation of all Brizzi's allegations about the Romans and stratagems will not be pursued in this study, I shall demonstrate the weakness of his assertions concerning both the word *strategema* and the nature of the Roman vocabulary of stratagem. Brizzi's contentions appear rash, considering that the vocabulary of Graeco-Roman military trickery has never been investigated in detail.

If the purposes of this study have now been clarified, its framework and guidelines should be established. I define stratagem as a strategic or tactical act of trickery, deceit, or cunning in military affairs and especially

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[3] Luitgard Camerer, *Praktische Klugheit bei Herodot: Untersuchungen zu den Begriffen* μηχανή, τέχνη, σοφίη (Diss. Tübingen 1965) and Antonio Carcaterra, *Dolus Bonus/Dolus Malus: Esegesi di D.* 4.3.1.2–3 (Naples 1970) are important steps in the right direction, although Camerer's study is limited to one author and Carcaterra's chief concern is legal vocabulary.

[4] R.M. Ogilvie, *A Commentary on Livy, Books* 1–5 (Oxford 1965) 81, 117–18, 152, 205, 261, 388, 569, 576, 579–80, 585–89, 624–25, 728; Brizzi 8–37, 56–77, 87, 269–73 cf. his "*Imitari coepit Annibalem* (Flor., I, XXII, 55): apporti catoni alla concezione storiographica di Floro?" *Latomus* 43 (1984) 424–31.

war, whereby one attempts to gain psychological or material advantage over an opponent, to neutralize some part of an opponent's superiority, to minimize one's own expenditure of resources, or to restore the morale and physical state of one's own forces.[5] Stratagem is an historical military phenomenon and *strategema* from its origin was a military word. From this definition it follows that stratagems occur not only in external wars but also in civil wars and in internal affairs of an army. Graeco-Roman use of *strategema* supports this view. On occasion the word "stratagem" (and its modern equivalents in languages other than English), just as also *strategema* in Greek, can be used metaphorically in non-military contexts. Although I shall note metaphorical appearances of *strategema* in tracing the word's usage, the focus of this study is stratagem (as defined above) and not trickery in general. The ramifications of this restriction will become most apparent in discussion of the Greek and Latin vocabularies of military trickery, in which I shall treat only words used to express the concept or an act of stratagem, i.e., synonyms for *strategema*. Trickery found on the stage, in poetry, romance, and satire generally lies beyond the bounds of this study. The criterion for inclusion is attestation of a word to describe the military phenomenon of stratagem. Sources in verse have not been generically excluded, but the focus of the study almost necessitates a preference for historical and military sources, i.e., prose literature.

Furthermore, the historicity of individual anecdotes is not at issue in this work. My concern is the vocabulary of the concept of stratagem, for which myths, legends, and contrived anecdotes of historical figures can be just as informative as what really happened in a particular case, provided of course that the trickery involved qualifies as a stratagem.

The economy of the work is as follows: Chapter I treats the history of the word *strategema* in Greek sources through the second century, the time of Polyaenus, and in Latin texts through the fourth.[6] Ancient definitions

[5] I refrain from inserting a sphere of military actions called "operations" between the traditional division of military acts into strategy and tactics. Certainly stratagems can be "operational" as well as strategic or tactical, but Graeco-Roman military thought recognized only strategic and tactical spheres. Discerning a sphere of operations between strategy and tactics is chiefly a phenomenon of European military thought, especially in the twentieth century, and the American military establishment has been slow to adopt this theoretical construct. Use of the term "operations" may offer some economy of expression in comparison to a more detailed scheme of describing military acts as minor tactics, grand tactics, strategy, grand strategy, etc., but specification of where one sphere ends and another begins has always been problematic. Positing a sphere of operations does not resolve this difficulty. I would thus judge use of the term "operations" (as defined in the current tripartite scheme of analysis of military activity) inappropriate for ancient military history.

[6] I have included Vegetius in this study, although whether he belongs to the late fourth or the second quarter of the fifth century remains debated. I prefer a date in the

of the concept of stratagem will also be noted. A continuation of this discussion illustrating the Classical influence on development of the modern vocabulary of stratagem will be presented elsewhere. Chapters II and III discuss respectively the Greek and Latin vocabularies of military trickery. The Greek vocabulary will be divided into four categories: most common words, occasional words, Hellenistic additions, and words for specific types of stratagems. Except for omission of the category of Hellenistic additions, treatment of the Latin vocabulary follows the same scheme. Chapter IV presents the concept of *vox media* and its significance for evaluation of the general moral tone of the Graeco-Roman vocabulary of stratagem.

Designation of words as "most common" or "occasional" is my own analysis based upon my work in the sources of stratagem over a number of years. Anyone wishing to dispute the classification of a particualr word and to prepare a statistical analysis of usage is welcome to do so. Ideally it would be desirable to discern various social and regional differences in usage, but I believe the sources are inadequate for a convincing presentation of such arguments. I do not claim to include every word in Greek or Latin only occasionally used for stratagem, nor have I aimed either to treat comprehensively the meanings and nuances of all the words presented or to give exhaustive lists of citations. Once again, the criterion for treatment is a word's association with stratagems. I have tried to keep this study historical, i.e., citing the date of earliest attestation of words, noting new words and changes of meaning in old ones, but many of these words, especially those in the "most common" category, did not change their basic meanings over time in a way relevant to the results of this study. *Dolos*, for example, means "trick" in both Homeric and Byzantine Greek. I also do not assert to have included every stratagem (as defined above) found in an ancient source.

Some might object that my division of the material into Greeks and Romans is too sweeping and that I have not given proper consideration

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late fourth century. Even if a fifth-century date is correct, the temporal difference between the reigns of Theodosius I and Valentinian III, only about fifty years or less, hardly has linguistic significance. Recent arguments for the fourth-century date can be found in V.A. Sirago, *Gallia Placidia e la trasformazione politica dell' occidente* (Louvain 1961) 465–76; T.D. Barnes, "The Date of Vegetius," *Phoenix* 33 (1979) 254–57; Foster H. Sherwood, "Studies in Medieval Uses of Vegetius' *Epitoma rei militaris*" (Diss. U.C.L.A. 1980) 15–19; G. Sabbah, "Pour la datation théodosienne du *De re militari* de Végèce," *Centre Jean Palerne, Mémoires* II (Université de Saint-Étienne 1980) 131–55; A. Marcone, "Il *De re militari* di Vegezio," *SRISF* 1 (1981) 121–38; C. Giuffrida, "Per una datazione dell' *Epitoma rei militaris* di Vegezio. Politica e propaganda dell' età di Onorio," *SicGymn* 34 (1981) 25–56; fifth-century date: Walter Goffart, "The Date and Purpose of Vegetius' *De re militari*," *Traditio* 33 (1977) 65–100; E. Birley, "The Dating of Vegetius and the *Historia Augusta*", H-A Colloq. 1982/83 (Antiquitas, Reihe 4.17: Bonn 1985) 57–67. Older views summarized in A.R. Neumann, "Vegetius," *RE* Suppl. 10 (1965) 992–95.

to Christians. In my view Roman political domination of the Greek East did not alter the usage of these words within the Greek language nor did it vastly change the Greek mentality, especially given the archaizing tendencies of the Second Sophistic. My survey of Greek usage roughly extends only to Polyaenus, who reflects the trends of the Second Sophistic. I shall treat the issue of Christians and stratagems in detail elsewhere, but let it suffice for the moment to say that Christians manipulated pagan Greek and Roman ideas and attitudes on stratagems rather than representing a new point of departure.

Nearly all studies of vocabulary face the criticism that the authors did not provide sufficient historical or grammatical contexts in their discussions, and it is not possible to please everyone. Nevertheless, I have endeavored to provide quotations of significant passages and to summarize the contexts of less important passages when appropriate. To provide a quotation of every passage cited (even if only in the footnotes) or to offer longer summaries of historical contexts in my narrative text would increase the size of the work unnecessarily and would interrupt the flow of the argument. This book is an essay, not a concordance.

If these qualifications of my work should render my treatment provisionary rather than definitive, I can only point out that this study is the first of its kind on the subject of ancient military trickery and by nature must therefore have an introductory character. My purpose will have been served if this study stimulates further investigation. Any attempt on my part to be more comprehensive or exhaustive would, I believe, increase the bulk of the text without a proportionate gain in new ideas and perspectives on the subject.

Since this discussion of the vocabulary of military trickery is a prolegomenon to a larger work on the concept of stratagem, I should further clarify my orientation to this topic. First, stratagem is a legal concept found in laws of war as well as a strategic and tactical idea. Thus to what extent does the vocabulary of stratagem reflect this dichotomy and have a legal flavor? Second, if stratagem may seem to some a technical aspect of military practice, did Greeks and Romans develop a technical vocabulary for it? Third, regardless of whether a technical vocabulary existed, is the vocabulary of stratagem identical with or more restricted than the general pool of words for trickery in Greek and Latin? Fourth, trickery between individuals as well as states generally is frowned upon, but stratagem represents a legitimate practice under the laws of war. Brizzi has raised the issue of the moral tone of the Latin vocabulary of stratagem. It is true that Greeks viewed stratagems favorably and Romans did not? Fifth, in the history of the Western military tradition from Homer to the present, a tension exists in military ethics between the advocates of what

I call the Achilles ethos and the Odysseus ethos. This tension reflects the tenets of an unwritten warrior code of honor and must be considered in any meaningful study of stratagem. The Achilles ethos promotes chivalry, face-to-face confrontation, open battle, and the use of force, while the Odysseus ethos asserts the superiority of trickery, deceit, indirect means, and the avoidance of pitched battle, although not the denial of the use of force or battle if advantageous. This dichotomy in military ethics is well reflected in the Greek and Latin vocabulary of stratagem and forms a motif of this study. As I shall argue elsewhere, stratagems have most often been disdained in warfare, not because they violate a particular period's laws of warfare, but because they contravene the Achilles ethos.

I hope to demonstrate that the vocabulary of Greek and Roman private law has very little influence on that of stratagems; that traces of a technical Greek military vocabulary can be discerned, but not a technical Latin vocabulary; and that the general tone of both the Greek and the Latin vocabularies for stratagem is positive. Despite their propaganda to the contrary, Romans could be just as tricky in war as Greeks. Finally, in view of what often seems a current scholarly trend to emphasize Greek influence on the Romans and to depreciate or to ignore native Roman developments, this study seeks to show that the Greek vocabulary of stratagem had very little influence on the Latin and that the Romans did not need to borrow the idea of stratagem from Hannibal or the Greeks.

In the hope that this study may be of interest not only to ancient historians and classicists but also to military historians not trained in the Greek and Latin languages, I have endeavored to provide translations of major words, phrases, and quoted passages. Generally, the initial appearance of Greek words is given in the Greek alphabet and subsequent occurrences of the words are in transliterated form. I have strived for consistency in transliteration of Greek words, but readers must judge the success of my effort. All translations are my own unless otherwise noted.

I would be greatly remiss not to acknowledge the support, encouragement, and beneficial criticisms which I have received throughout the course of this project. My initial research on the vocabulary of stratagem was conducted as a fellow of the Alexander von Humboldt Foundation at the Kommission für Alte Geschichte und Epigraphik in Munich. My sincere thanks to the AvH and to Prof. Michael Wörrle, Prof.Dr. Dieter Hennig, Frauen Z. Kühnl, E. Denk, H. Brummer, and especially Prof. Dr. Karlheinz Dietz (now at Würzburg), who did so much to make this *Ausländer* feel *zu Hause* in München. *Ich bin ganz Bayerisch geworden*!

I composed the bulk of the present text at the Institute for Advanced Study at Princeton, whose library staff, particularly Mrs. Barbara Tucker, graciously supported my research efforts. A special debt is owed to my

colleague at the Institute, Prof. William Elton of CUNY, who more than anyone encouraged my publication of this vocabulary study as a separate monograph. Final revisions and preparation of the manuscript have come through the generous support of the Harry Frank Guggenheim Foundation. Lisa Dellwo typed the manuscript and deserves commendation. My good friend and indefatigable critic, Prof. Kent J. Rigsby, read and commented on the entire manuscript. His sharp eyes have, as so often, saved me from errors and spotted weaknesses in argument and presentation.

Others have also contributed both directly and indirectly to shaping my thought. Erich Gruen will probably find much with which to disagree in this book, but his recent works have stimulated me and helped to focus my own views. I have also profited from conversations with Theodore Ropp, the late Fordyce Mitchel, Werner Eck, Fergus Millar, Peter Herrmann, Alan Astin, Frank Gilliam, Christian Habicht, Mark Clark, Ted Champlin, F.E. L'Hoir, Walter Kaegi, and numerous others. C.W. Myers has been exemplary in support and encouragement at the completion of this project. Nevertheless, I must bear full responsibility for the final product.

Finally, I dedicate this work to the memory of my parents, whose separate departures near the beginning and end of my labors have deprived them of what I hope would have been a great source of pride.

Durham, N.C. E.L.W.
January, 1988

ABBREVIATIONS

In the footnotes and bibliography titles of journals generally follow the system of *L'Année Philologique*. Monographs and books are cited by author's name alone with full citation in the bibliography. Abbreviations of ancient sources follow the scheme of the *Oxford Classical Dictionary*.[2] The following special abbreviations also appear:

ANRW	= *Aufstieg und Niedergang der römischen Welt* (1972-)
CFHB	= *Corpus Fontium Historiae Byzantinae*
CIL	= *Corpus Inscriptionum Latinarum*
EDRL	= A. Berger, *Encyclopedic Dictionary of Roman Law*
FGrH	= F. Jacoby, *Fragmente der griechischen Historiker*
FHG	= C. and T. Müller, *Fragmenta Historicorum Graecorum*
FVS[6]	= H. Diels/W. Kranz, *Fragmente der Vorsokratiker*[6]
GSAW	= W.K. Pritchett, *The Greek State at War*
HCP	= F.W. Walbank, *A Historical Commentary on Polybius*
HCT	= A.W. Gomme/K.J. Dover/A. Andrewes, *A Historical Commentary on Thucydides*
HRR	= H. Peter, *Historicorum Romanorum Reliquiae*
ILLRP	= *Inscriptiones Latinae Liberae Rei Publicae*
ILS	= *Inscriptiones Latinae Selectae*
Lewis & Short	= C.T. Lewis/C. Short, *A Latin Dictionary*
LSJ[9]	= H.G. Liddell/R. Scott/H.S. Jones, *A Greek-English Lexicon*[9]
RE	= *Real-Encyclopädie der klassischen Altertumswissenschaften* (1893-)
SVF	= H. von Arnim, *Stoicorum Veterum Fragmenta*

CHAPTER ONE

STRATEGEMA AND STRATAGEM

The Greek word στρατήγημα first appears early in the second quarter of the fourth century B.C. in Xenophon (*Mem.* 3.5.22). Its use by other authors of this period, however, and its isolated single occurrence in the Xenophontic corpus suggest that it was not his invention. Its birth came without fanfare. In the practice of military trickery, already centuries if not millenia old, no one hailed the dawn of a new era, nor did Greek literature, which since Homer had described rusé behavior with other words, seem significantly enriched. Indeed, except for what can be ascertained from the context of passages in which *strategema* occurs in its first century of use, absolute certainty about its initial meaning is elusive. Perhaps some works from the genre of collections of stratagems which arose in the Hellenistic period contained definitions, but the only extant Greek example of this literature, the *Strategika* of Polyaenus, does not. So, it would appear, no Greek before the Christian apologist Clement of Alexandria bothered to define *strategema*, and no Greek would again before the Byzantine encyclopedia the *Suda* in the tenth century.

Not until Cicero introduced *strategema* into Latin and subsequent Latin authors groped to find a suitable equivalent expression in their own tongue, do useful and contemporary definitions appear. Latin definitions in fact antedate the Greek: the first formal one belongs to Valerius Maximus, and Frontinus contributed a second about fifty years later. For a study of *strategema*'s usage, however, neither the initial Greek definition of Clement of Alexandria, marred by obscurity, nor the earlier first Latin definition by Valerius Maximus, the victim of a corrupt text, offers a suitable point of departure. It is preferable to begin with Frontinus, who establishes the proper framework of the problem.

Frontinus' *Strategemata*, composed between 84 and 88, represents the only surviving Latin example from the genre of collections of stratagems.[1] For Frontinus (*Strat.* 1 praef. 1) what the Greeks call *strategemata* are the clever deeds of generals (*sollertia ducum facta*), which offer commanders examples of planning (*consilium*) and foresight (*providentia*). *Strategemata*, however, should be carefully distinguished from *strategika*:

[1] Bendz 2-4, 7.

> And in fact all things, which are done by a general with foresight, expediency, fame, and tenacity, will be considered *strategika*; if they are in a category of these, *strategemata*. The particular nature of *strategemata*, lying in art and cleverness, profits when an enemy must be warded off as well as attacked.[2]

Frontinus' distinction of the two terms is far from clear and comes rather late in a tradition of military theory, which in written form begins to take shape in the fourth century B.C.[3] It is apparent from Frontinus' definition that *strategemata* denote offensive and defensive trickery, whereas *strategika* do not necessarily do so. The elements of art and cleverness characterize examples as *strategemata* and thus as a category (*in specie*) of the broader areas of *strategika*.[4] This distinction forms the basis for the organization of Frontinus' treatise: books 1–3 contain *strategemata* and book 4 *strategika*, although in 4.7 he reverts once again to *strategemata*.

Is Frontinus' distinction between the two terms correct, and if so, what significance does it have? These questions come sharply into focus with the problem of the title of Polyaenus' treatise, a work in no way dependent on that of Frontinus and composed about eighty years later on the occasion of Lucius Verus' Parthian War (*ca* 161–65).[5] The manuscript tradition is clear that the title of Polyaenus' work is *Strategika*. In the preface to each of his eight books, however, Polyaenus refers to the anecdotes collected as *strategemata*, but he includes many examples considered *strategika* by Frontinus.[6] One can argue that *strategika* and *strategemata* cannot be distinguished and that even Frontinus failed in his attempt.[7] This view, however, fails to account for why Greek authors from the late third

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[2] Front., *Strat.* 1 praef. 4: *Namque omnia, quae a duce provide, utiliter, magnifice, constanter fiunt,* στρατηγικὰ *habebuntur; si in specie eorum sunt,* στρατηγήματα. *Horum propria vis in arte sollertiaque posita proficit tam ubi cavendus quam opprimendus hostis sit.*

[3] On the origins of military theory see my "The Origins of Military Theory in Ancient Greece and China," *International Commission of Military History, Acta 5, Bucarest 1980* (Bucharest 1981) 74–79 and "The *Hoplomachoi* and Vegetius' Spartan Drillmasters," *Chiron* 13 (1983) 1–20. Cf. Adolf Bauer, "Die Anfänge der Kriegswissenschaft," *Zeitschrift für allgemeine Geschichte* 3 (1886) 1–12 and *Die griechische Altertümer: die Kriegsaltertümer* (Munich 1893) 273–78.

[4] Cf. Arist., *EN* 1.1.4: every military practice is subordinate to the art of generalship (καὶ πᾶσα πολεμικὴ πρᾶξις ὑπὸ τὴν στρατηγικὴν τέχνην). Frontinus' *in specie* cannot mean "in the pretext" or "in the appearance" which would bring an additional sense of trickery to the sentence, since he clearly uses *species* as "category" in 1 praef. 5, 2 praef., 3 praef., and 4. praef.

[5] Friedrich Lammert, "Polyainos 8," *RE* 21 (1952) 1453 and "Strategemata," *RE*, Reihe 2, 4 (1931) 180.

[6] For example, the famous story of Camillus' refusal to accept a schoolmaster's offer to betray his pupils as a means to compel the surrender of Falerii to the Romans is for Frontinus (*Strat.* 4.4.1) an instance of justice, therefore a *strategikon*, while Polyaenus (8.7.1) calls it a pious stratagem (εὐσεβεῖ στρατηγήματι). See also Lammert, *RE* 4, 177–78 and *RE* 21, 1433.

[7] Schindler 201.

century B.C. on repeatedly designate acts of military trickery as *strategemata* but only rarely *strategika*. Nor does this view explain why *strategemata* rather than *strategika* became the root from which modern Western languages (e.g., English, all Romance languages, Russian) derive their word for the idea of military trickery. Frontinus' distinction of the two words forms the background against which to investigate the history of *strategema*.

Both *strategema* and *strategika* derive from the same family of words headed by στρατηγός (general) and its verb στρατηγέω (to be a general).[8] Both have clear and basic military connections and both first appear in the first half of the fourth century B.C. As the nominative neuter plural of the adjective *strategikos, strategika*, when used substantively, means "the properties of a general" or "generalship."[9] Frontinus' list (*Strat.* 1 praef. 4) of foresight, expediency, etc. enumerates some of the traits of a good general, as does his list of chapters in 4 praef. (cf. Xen., *Mem.* 3.1.6). *Strategika* can also denote military affairs in general and could be used as the title for a military treatise.[10] The Stoics defined a general's virtue (στρατηγικὴ ἀρετή) as the theoretical and practical possession of affairs expedient to an army.[11] Nothing here explicitly refers to trickery.

Strategema is a relatively infrequent word in both Greek and Latin prose and never appears in Classical poetry. As noted earlier, its first appearance (*ca* 370 B.C.) occurs in Xenophon, *Mem.* 3.5.22, an anecdote in which Socrates discusses learning generalship with the young Pericles, elected strategos at Athens in 406 B.C.[12] Socrates tells the young man

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[8] The etymology of *strategema* is not discussed in such standard works as P. Chantraine, *Dictionnaire étymologique de la langue grecque*, IV (Paris 1968) and Émile Boisacq, *Dictionnaire étymologique de la langue grecque*[4] (Heidelberg 1950).

[9] No forms of *strategikos* occur in Herodotus and Thucydides, but its adverbial form στρατηγικῶς is found at least once in the fifth century B.C.: Ar., *Av.* 362, produced in 414 B.C. Plato and Xenophon are the earliest to use the adjective. See LSJ[9] s.v. For τὰ στρατηγικά = στρατηγία (generalship): Xen., *Cyr.* 1.6.12 cf. ἡ στρατηγική (scil. τέχνη) = στρατηγία: Pl., *Euthd.* 290d; Arist., *EN* 1.1.3–4.

[10] Demetrius of Phalerum wrote a *Strategika* (D.L. 5.80), and the same title might have been Aeneas Tacticus' designation for his military encyclopedia, or at least the title of its epitome by Cineas: Ael. Tact. 1.2, Plb. 10.44.1. Cf. Epicurus fr. 5 Usener = Plut., *Mor.* 1095C-D: στρατηγικὰ διηγήματα (military narratives). According to the *Suda* s.v. Αἰνείας, Aeneas' work was called Περὶ στρατηγήματα ὑπόμνηματα, but Polybius and Aelian must surely be judged more reliable on this point.

[11] *SVF* III 65 no. 267: στρατηγικὴ δὲ ἕξις θεωρητικὴ καὶ πρακτικὴ τῶν στρατοπέδῳ συμφερόντων. The definition possibly comes from Chrysippus.

[12] Reference in *Mem.* 3.5 to the Athenian military situation after the battle of Leuctra in 371 B.C. is the basis for dating the work. See Anderson 27; Higgins 131–32, 176 n. 34. Other dates have been argued: 365 or 364 B.C.: Marshall 102; 355/4 B.C.: Delebecque 472–91; Delatte 58–73. *Strategema* does occur in a fragment of Ion of Chios preserved in Athenaeus (*FGrH* 392 F 6 = Ath. 13.604d), which would appear to date the word to the fifth century B.C. Jacoby notes (comm. *ad* 392 F 6) slight corruptions in the text and believes that variants to Athenaeus' version existed. Other considerations also suggest

that he has inherited many *strategemata* from his father, i.e., examples or possibly principles of generalship.[13] In its initial use therefore *strategemata* and *strategika* seem synonymous and any hint of a connotation of military trickery is lacking. Indeed if Xenophon should have the credit for coining the word, it is somewhat peculiar that it only occurs once in his vast corpus, and especially that so noted an advocate of military trickery would avoid it elsewhere in his writings.

More instructive on the origins of *strategema* and its early use is evidence from Xenophon's contemporary. Isocrates wrote *ca* 397 B.C. a speech for the defense of Alcibiades, the son of the famous Athenian general, who faced a suit for damages brought by alleged victims of his father. At one point in the speech Alcibiades enumerates the accomplishments of his father, using the perfect middle participle of *strategeo* substantively: "I know that I omit many things about *what he did as a general*."[14] When compared to Xenophon's *strategemata* used in a very similar context about thirty years later, Isocrates' *estrategemena* conceivably offers a prototype for creation of the noun, and the respective meanings of the two words are essentially the same, examples of generalship. Many years later in 339 B.C. Isocrates will cite Agamemnon's expedition against Troy as an unparalleled example of generalship (*strategema*).[15] The usage of Isocrates and Xenophon is consistent and again there is no sign of trickery; but a hasty conclusion should be avoided.

In his *Antidosis*, a defense of his career composed in 353 B.C. (cf. Isoc. 15.9), Isocrates digresses on his association with Timotheus and paints the Athenian commander in the laudatory colors of the ideal general. A part of this digression is of significance:

> Bearing this in mind (i.e., that Athens rose to power through the friendship of other cities and nearly perished by the hatred of various poleis), he subdued the enemy with the power of the city, but by his character he won over

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that *strategema* in this fragment is a later interpolation: first, the absence of the word in other fifth-century authors, especially Herodotus and Thucydides; and second, the use of *strategema* in the fragment is metaphorical—unlikely for the initial occurrence of a word.

[13] Xen., *Mem.* 3.5.22: καὶ πολλὰ μὲν οἶμαί σε τῶν πατρῴων στρατηγημάτων παρειληφότα διασώζειν, πολλὰ δὲ πανταχόθεν συνηχέναι, ὁπόθεν οἷόν τε ἦν μαθεῖν τι ὠφέλιμον εἰς στρατηγίαν.

[14] Isoc., (*Big.*) 16.22: Περὶ μὲν οὖν τῶν ἐστρατηγημένων οἶδα μὲν ὅτι πολλὰ παραλείπω, διὰ τοῦτο δ' οὐκ ἀκριβῶς εἴρηκα περὶ αὐτῶν, ὅτι σχεδὸν ἅπαντες μνημονεύετε τὰ πραχθέντα.

[15] Isoc., (*Panath.*) 12.78: τούτου δὲ κάλλιον στρατήγημα καὶ τοῖς Ἕλλμσιν ὠφελιμώτερον οὐδεὶς φανήσεται πράξας οὔτε τῶν κατ' ἐκεῖνον τὸν χρόνον εὐδοκιμησάντων οὔτε τῶν ὕστερον ἐπιγενομένων.

> the rest, considering this to be a greater and more noble *strategema* than to capture many cities and many times to conquer in battle.[16]

For the first time in Greek *strategema* is contrasted with the use of force and expresses an aspect of the Odysseus ethos. The contrast in Greek literature between trick and force, unseen vs open means, originating in Homer, most commonly appears with δόλος.[17] Isocrates, however, prefers to use the new word *strategema* to which a more subtle and nuanced meaning can be imputed than the familiar *dolos*. The passage likewise marks the first occasion in which *strategema* can be translated as "stratagem." Timotheus' *strategema*, his principle or example of generalship, is not a real trick in the sense of *dolos*, but rather using unseen and nonviolent psychological means to achieve his strategic objective. The Odysseus ethos does not dictate that every stratagem be an underhanded trick, and later stratagemic doctrine would teach that the first wisdom (πρώτη σοφία) of a skillful general was to gain victory without battle.[18] Moreover, Isocrates (15.123–28) further illustrates Timotheus' stratagem with more praise of his ability to win the goodwill and voluntary submission of cities. One wonders if it is only by chance that Isocrates echoes a theme of Xenophon's *Cyropaedia*, appearing scarcely ten years earlier, in which Cyrus the Great, seen as the ideal king and a rusé general, is repeatedly noted for his use of goodwill and the doctrine of willing obedience.[19]

The immediate effect of Isocrates' linking *strategema* to the Odysseus ethos is not easy to gauge. In 343 B.C. Aeschines quipped: "Why would anyone believe such a man (i.e., Demosthenes), who has tried to say that Philip came within the pass of Thermopylae not by his own *strategemata*, but by my speeches."[20] Philip II of Macedon's duplicity regarding the Peace of Philocrates in 346 B.C. enabled him to intervene in the affairs

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[16] Isoc. 15.122: ὧν ἐνθυμούμενος τῇ μὲν δυνάμει τῇ τῆς πόλεως τοὺς πολεμίους κατεστρέφετο, τῷ δ' ἤθει τῷ αὑτοῦ τὴν εὔνοιαν τὴν τῶν ἄλλων προσήγετο, νομίζων τοῦτο στρατήγημα μεῖζον εἶναι καὶ κάλλιον ἢ πολλὰς πόλεις ἑλεῖν καὶ πολλάκις νικῆσαι μαχόμενος.

[17] E.g., Il. 7.142, 242–43; Od. 1.296, 9.406, 14.330, 19.299; Hdt. 1.212, 4.201; Soph., *Trach.* 276ff; Polyaenus 1 praef. 4, 12; Stob., *Anth.* 4.13.46. *Dolos* and *strategema* are directly linked in Polyaenus 1 praef. 12.

[18] Polyaenus 1 praef. 3 cf. Veg. 3.9.

[19] On the date of the *Cyropaedia* as after 362 B.C. see Anderson 152; Higgins 48, 156 n. 22; goodwill and willing obedience: Xen., *Cyr.* 1.1.3–5, 6.20–21; 3.1.37; 5.3.1–4; 7.1.41–45; Höistad 78–86 cf. Sarrazin 129–38.

[20] Aeschin., *De leg.* 130: τί γὰρ ἄν τις τοιούτῳ πιστεύσειεν ἀνθρώπῳ, ὃς ἐγκεχείρηκε λέγειν ὡς Φίλιππος, οὐ τοῖς αὑτοῦ στρατηγήμασιν, ἀλλὰ ταῖς ἐμαῖς δημηγορίαις, εἴσω Πυλῶν παρῆλθε;

of central Greece contrary to the interests of Athens, and Demosthenes charged Aeschines before the Athenian assembly with complicity in Philip's deception.[21]

The precise meaning of Aeschines' *strategemata*, however, can be debated. From one point of view, the term simply denotes Philip's generalship—the interpretation of the Loeb translation.[22] On the other hand, *strategemata* could refer to Philip's duplicity in the affair and thus more clearly than Isoc. 15.122 mark another stage in the association of the word with trickery. Certainly Philip's deception was diplomatic and strategic rather than strictly tactical, but in the ancient view the distinction between a king's diplomatic and military functions was not always clear. A tradition found in Polyaenus (4.2.9) holds that Philip actually took more pride in his diplomatic than his military successes. If the second view be correct, then Aeschines' *strategemata* confirms Isocrates' use of the word (15.122) as diplomatic and strategic trickery.

Another piece of evidence possibly from the fourth century B.C. also merits consideration. According to Plutarch, Cleidemus (fl. 350 B.C.), an Atthidographer, recorded a *strategema* of Themistocles. When the Athenians were abandoning their city before the battle of Salamis in 480 B.C., Themistocles found a pretext for searching all the baggage and discovered large sums of money for paying the Athenian sailors.[23] Since this fragment of Cleidemus derives from Plutarch, who (as we shall see) often uses *strategema*, it is not certain that *strategema* occurred in Cleidemus' text, and the passage bears no sign of being a quotation rather than Plutarch's own summary of his source. Nevertheless, Themistocles was a general famous for his stratagems and Plutarch's only use of *strategema* in this particular biography occurs in this passage. Since nothing forbids that Cleidemus could have used the word, this anecdote may afford the earliest example of *strategema* used to denote an internal military trick, i.e., the trick of a commander toward his own forces. All stratagems need not be perpetrated against a foreign enemy.

In its first century of use *strategema* is found only four (and possibly five) times among extant texts—hardly a word found on everyone's lips. From its initial definition as principles or examples of generalship it soon

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21 For details see Ellis 125–53.

22 Charles Darwin Adams, *The Speeches of Aeschines* (London 1919) 257.

23 *FGrH* 323 T 1 = Paus. 10.15.5; F 21 = Plut., *Them.* 10.6: Κλείδημος δὲ καὶ τοῦτο τοῦ Θεμιστοκλέους ποιεῖται στρατήγημα. καταβαινόντων γὰρ εἰς Πειραιᾶ τῶν 'Αθηναίων, φησὶν ἀπολέσθαι τὸ Γοργόνειον ἀπὸ τῆς θεοῦ τοῦ ἀγάλματος· τὸν οὖν Θεμιστοκλέα προσποιούμενον ζητεῖν καὶ διερευνώμενον ἅπαντα χρημάτων ἀνευρίσκειν πλῆθος ἐν ταῖς ἀποσκευαῖς ἀποκεκρυμμένον, ὧν εἰς μέσον κομισθέντων εὐπορῆσαι τοὺς ἐμβαίνοντας εἰς τὰς ναῦς ἐφοδίων.

gained association with the Odysseus ethos and possibly extended its frame of reference to diplomatic/strategic ruse and internal military trickery. The fragmentary state of Greek sources from the third century B.C. precludes tracing the use of *strategema* in that period. The following survey of usage confined chiefly to major historians and military writers to the time of Polyaenus is of course spotty, but sufficient to give an impression of the word's development.

In the late third century and certainly during the second century B.C., when *strategema* once again surfaces from obscurity, its definition as military trickery is secure in Philo of Byzantium (fl. 225 B.C.) and in Polybius.[24] The same can be said for its appearance in Greek historians of the late first century B.C., such as Diodorus Siculus, Dionysius of Halicarnassus, and Memnon of Heraclea (if he belongs to this century and not the first century A.D.).[25] The next century, however, in which the word appears to have enjoyed some frequency, presents greater variation in meaning.

Onasander in his *Strategikos* uses the word both for principles or examples of generalship (praef. 7), the original definition, and for strategem (praef. 9, 10; 32.4), although in 32.4 a translation as "plan" or "strategic disposition" could also be argued.[26] Josephus shows a fairly equal distribution of meanings for *strategema* between acts of military and political (both diplomatic and domestic) trickery, in addition to one instance in

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[24] Phil.Mech., *Mech.Syn.* 5.D.97 Garlon; Plb. 1.27.6, 57.5; 3.18.9; 78.1; 5.47.4, 70.7; 8.7.6; 11.22.1. Especially in Plb. 1.57.4 and to some degree in 8.7.6 a case for a meaning of *strategemata* as examples or principles of generalship could be argued, but in both passages the term occurs in a series of words all synonymous with stratagem. Detailed discussion of all passages cited in this and the following note would be superfluous.

[25] Diod. 11.17.4, 19.5–6, 22.6, 23.1, 35.3, 40.4, 77.2; 15.33.4; 16.49.7, 68.10–11; 20.17.5; 24.7.1; 30.18.1–2; Dion.Hal., *Ant.Rom.* 3.28.10, 55.4; 4.52.3; 8.84.3; Memnon, *FGrH* 434 F 24.4. A new lexicon of Diodorus is not complete and omits our last two references: J. Jain McDougall, *Lexicon in Diodorum Siculum* (Hildesheim 1983).

[26] Onas. 32.4: μάλιστα δ' ἁμαρτάνειν οὗτοί μοι δοκοῦσιν, οἵ τινες ἐν μὲν τῷ νικᾶν ὀλίγα λυπήσειν μέλλοντες τοὺς πολεμίους, ἐν δὲ τῷ ἡττᾶσθαι μεγάλα βλάψειν τοὺς φίλους ἀποχρῶνται τοιούτοις στρατηγήμασιν. Onasander possibly wrote a Περὶ στρατηγημάτων (*Suda* s.v. Ὀνόσανδρος), but this tells us nothing about how Onasander defined the word. Peters alleges that *strategema* in Onasander is the equivalent of *strategia* without a rusé nuance, for which he cites Lammert, *RE* 4, 175–76, but this is not Lammert's view. Lammert defines *strategema* in Onasander as the acts of a general which have been thought through ("die überlegten Massnahmen des Feldherrn"), although even this interpretation of Onasander's use of *strategema* is contradicted by Onasander's association of *strategema* with *anchinoia* and spur-of-the-moment analysis: praef. 9; 32.9–10. *Anchinoia* will be treated in the following chapter. Peters further asserts that the equation of *strategema* and *strategia* was fully developed in the Byzantine period, but he does not cite any evidence. See Peters 36 n. 115, 98 n. 273.

which *strategemata* denote simply military acts without a connotation of cleverness or deceit.[27] *Strategema* as diplomatic trickery may have a precedent in Aeschines, but extension of the word to domestic political trickery or to use as a term for trick in general, although already appearing in this sense in the late second or first century B.C. (2 *Macc.* 14.29), reveals a movement in usage to which we must return. Moreover, employment of *strategemata* for general military deeds (Jos. *AJ* 14.141) might lead some to argue that it is again, as in the fourth century B.C., the equivalent of *strategika*, but a better Greek synonym would be πράξεις or ἔργα, since the passage refers to Roman military accomplishments in a non-specific sense and without regard for generalship or a particular commander. Philo of Alexandria also shows variation in usage. *Strategemata* appear as strategems proper, but also as the teachings of a false prophet and as a wife's deception of her husband.[28]

In contrast to Philo and Josephus, writers of the late first and early second centuries show a marked preference for the military usage of *strategema*. Dio Chrysostom (11.148) calls the works of Homer a *strategema* because of their strategic value: Homer taught the Greeks to have no fear of Asian peoples. Plutarch overwhelmingly employs *strategema* as military trickery with two exceptions: in one case the word is used for a trick in a love story and on another occasion the term means the act of a general or a maneuver.[29] Among Polyaenus' immediate contemporaries, Pausanias, Arrian, Appian, and Lucian, *strategema* means almost exclusively military trickery. When Pausanias, however, recounts the education of Philopoemen and his interest in books on war, it is ambiguous if Philopoemen read a collection of stratagems or a work teaching the principles of generalship.[30]

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[27] Stratagem: Jos., *BJ* 3.106, 176, 190; 7.201; *AJ* 2.245, 12.352, 14.392; *Vit.* 379; political trickery: *BJ* 1.502, 511, 513; 2.604, 630; *AJ* 7.192, 9.162; *Vit.* 148, 163, 169, 379; military acts: *AJ* 14.141.

[28] Stratagem: Philo, *Virt.* 7, 34, 37; *De praemiis et poenis* 25 (military metaphor); false teachings: *Spec.leg.* 4.8, 51; wife's deception: *Leg.* 6, 40.

[29] Stratagem: Plut., *Mor.* 238F, 309D; *Them.* 10.6; *Fab.* 16.1; *Marc.* 24.1; *Phil.* 6.7; *Cim.* 9.2; *Ages.* 39.2, 8; *Pomp.* 63.1, 69.7, 76.3, 84.5; *Cic.* 38.6; domestic trick: *Mor.* 755D cf. Ps.-Aeschin., *Ep.* 10.4 (probably second century or later); maneuver: *Marc.* 25.6.

[30] Paus. 4.21.8, 28.7, 35.4; 7.13.6; 8.8.9; Arr., *Parth.* or *Succ.* fr. 18 Roos = *Suda* s.v. κατεδημαγώγησε (metaphoric use); App., *Hann.* 15, 26, 41, *Hisp.* 5, 41, 62; Lucian (or more probably Ps.-Lucian), *Dem.Enc.* 31. Philopoemen: Paus. 8.49.3: ἐπιλέγεσθαι δὲ καὶ βιβλία φασὶν αὐτὸν σοφιστῶν τε τῶν εὐδοκιμούντων παρ' Ἕλλησι καὶ ὅσα ἐς πολέμων μνήμην καὶ εἰ δή τι ἔχει διδασκαλίαν στρατηγημάτων· One of the works read by Philopoemen was the *Tactica* of Evangelus: Plut., *Phil.* 4.4–5; Ael.Tact. 1.2; Arr., *Tact.* 1.1. Treatises entitled *Tactica* were not collections of stratagems, but nothing precludes a work of this title from containing a discussion of stratagems or a few examples. Cf. the discus-

Strategema and *strategika* were essentially synonyms when they initially appeared in the fourth century B.C. Isocrates first associated *strategema* with the Odysseus ethos. Aeschines and possibly Cleidemus added a further rusé nuance, although the first conclusive proof of the word's use for tactical military trickery is found in Philo of Byzantium and Polybius. Thereafter until the time of Polyaenus military trickery remained the chief meaning of *strategema*. Its original definition, examples or principles of generalship, although never lost, is infrequent and on occasion *strategema* denotes simply a maneuver or a military deed without rusé nuance. In addition, the term acquired a metaphorical sense as diplomatic trickery, perhaps already in the fourth century B.C., and its metaphorical use was then extended, possibly as early as the end of the second century B.C., to domestic political chicanery and to deceit in everyday life. The result of these developments is best seen in Josephus. Ps.-Dionysius of Halicarnassus, probably in the second or third century, could even use *strategema* for a trick in rhetoric.[31] It would thus appear that Frontinus' distinction of *strategemata* from *strategika* is correct and that Polyaenus' work has an inappropriate title. Nevertheless, examination of another development within the Greek military vocabulary will demonstrate not that *strategemata* and *strategika* were always synonymous, but that by the first century *strategika* could also have a rusé nuance.

We must broaden the scope of this investigation to the entire family of words denoting generalship. *Strategema*'s acquisition of a rusé definition was not an isolated occurrence. The verb *strategeo* (to be a general), although never losing its original definition, also acquired new meanings. In Demosthenes the verb is used for "to outgeneral," a meaning subsequently found in Polybius, *Second Maccabees*, and Onasander—sometimes in the sense of "to maneuver" or "to outmaneuver." In Polybius and Strabo, however, it is also used as "to outgeneral through stratagem," a development carried further in Josephus, who employs *strategeo* in nonmilitary contexts as "to contrive."[32] By the first century B.C. a special verb for "to outgeneral through stratagem" appears—καταστρατηγέω—and in the same period ἀντιστρατηγέω (to act against as a general, to make war against) first occurs, from which Onasander creates the noun

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sion of Cicero and Pyrrhus' *Tactica infra* and n. 40. A Latin rhetorical handbook asserts that stratagems are a proper subject for a *De re militari: Rhet.Her.* 3.3

31 Ps.-Dion.Hal., *Rhet.* 9.8, where part of Odysseus' speech in Il. 2.188–99 is called a στρατήγημα τῶν λόγων. On Ps.-Dionysius see Kierdorf 21–22, 54.

32 Outgeneral: Dem. 4.41, Plb. 9.25.6, 2 *Macc.* 14.31, Onas. 13.3; outgeneral by stratagem: Plb. 3.71.1; Strabo 1.2.9; contrive: Jos., *AJ* 7.197, 9.153, 13.334, 16.190. The usage in Strabo is metaphorical, but the association of *strategeo* in the passage is with *pseudos*: hence a stratagemic connection of "to outgeneral by a false contrivance."

ἀντιστρατήγησις—"hostile maneuver" or more probably "counter-stratagem."[33] Like the verb *strategeo*, the noun *strategia* becomes not only rusé by the first century B.C. but also a synonym for *strategema* in Dionysius and Onasander, although not in Josephus.[34]

It would appear that *strategema*'s conversion into a term for military ruse and deception was but the forerunner of a trend which introduced several new words into the Greek language to describe this kind of behavior, and which added rusé connotations to standard words such as *strategeo* and *strategia*. By the second half of the first century, as seen in Josephus, the language of military trickery had become generalized to any sort of trickery, and to be a general also meant to be clever, deceitful, and contriving. Thus it should come as no surprise that the adverb στρατηγικῶς follows suit with its cousins: in Jos., *BJ* 2.337 (diplomatic context) it translates as "deceitfully" or "with clever calculation," just as it does in Appian (*BC* 4.19: the capture and execution of Cicero by Antony's legionaries). More significantly, the same happens with the adjective *strategikos*. When Josephus writes (*AJ* 12.193) that the young Hyrcanus devised something military (ἐπενόησέ τι στρατηγικόν), he means that Hyrcanus devised an ingenious plan. Furthermore, the rusé nature of *strategikon* is stressed two sentences later (12.195) by its association with intelligence (φρόνημα), quickness of thought (ὀξύτητα τῆς διανοίας), and daring (τὸ τολμηρόν)—all strategemic traits as we shall see in the following chapter. Although the rusé use of *strategikos* occurs only once in Josephus, it belongs to the trend adding rusé meanings to the entire *strategeo* family and found in many Greek authors of the Roman period.

If *strategeo* and *strategia* acquired strategemic nuances, and the same is attested for *strategikos*, then conceivably *strategika* could be a suitable title for Polyaenus' collection of strategems. Nevertheless, problems persist. Despite the consistency of the manuscript tradition that the title is *Strategika* and its confirmation by a Byzantine reference to the work by this title, the titles of works in manuscripts are not necessarily those bestowed by the authors.[35] If *Strategika* is Polyaenus' own title for the work and *strategika*

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33 *Katastrategeo*: Diod. 4.9.5 (metaphoric use); 11.21.3, 40.4; 15.16.1; 16.11.4, 68.6; 17.86.1; Dion.Hal., *Ant.Rom.* 3.64.3, 4.10.6 (political context); Onas. 10.5, 11.5; Jos., *AJ* 9.118, *Vit.* 320, 372; Plut., *Tim.* 11.1, *Fab.* 7.2, *Syn. Per./Fab.* 2.2; Zos. 3.25.3. A noun *katastrategia* (conquest by stratagem) evolved by the Byzantine period: Tz., *Hist.* 9.70. *Antistrategeo*: see LSJ[9] s.v.; *antistrategesis*: Onas. 32.9 (*hapax legomenon*).

34 Dion.Hal., *Ant.Rom.* 3.28.9, 15.3.10; Onas. 10.19: εὐκαίρῳ στρατηγίᾳ (opportune generalship) = stratagem; Jos., *AJ* 15.159. This development does not contradict my comments (n. 26 *supra*) against the views of Peters, who does not recognize that *strategia* acquired a rusé meaning. The combination of *mechane* and *strategia* could describe a rusé act already in the fifth century B.C.: Pherecydes of Athens, *FGrH* 3 F 82b.

35 The only Byzantine reference to the title of Polyaenus' work occurs in the anony-

is understood to have a rusé nuance, then Polyaenus' title stands unique among both ancient and Byzantine military works. The *Strategika* of Aeneas Tacticus could be interpreted as *Strategika biblia* (*Books on Generalship*), as in Ael. Tact. 1.2, or as substantive use of the neuter plural form of the adjective seen in Plb. 10.44.1: τὰ περὶ τῶν στρατηγικῶν ὑπομνήματα (*Commentaries on Generalship*). Demetrius of Phalerum's *Strategika* (D.L. 5.80), known only by title, has the same ambiguity of meaning. But, in any event, these two works antedate the rusé nuance of the adjective *strategikos*. Another possibility is that Polyaenus' *Strategika* should be taken as Στρατηγικὰ σοφίσματα (*The Tricks of a General*), as in Plutarch's characterization of Hannibal's stratagems (*Fab.* 5.3). *Sophismata* and *strategemata* are synonyms, as we shall see, but no parallels for such a title can be adduced. Furthermore, *strategika* in this phrase would still only mean "of a general," and Polyaenus prefers to call his anecdotes *strategemata*, although he occasionally uses the word *sophismata* (e.g., 5.2.3).

Among Byzantine works neither *strategika* nor *strategemata*, whether used as a single-word title or as the key word in a multi-word title, is frequent. The anonymous *De re strategica* of the Justinianic period is most probably an *On the Art of Generalship*: Περὶ στρατηγικῆς (scil. τέχνης), while the *Strategikon* of the Ps.-Maurice, written *ca* 600, and the Στρατηγικὸν περὶ ἐθῶν διαφόρων ἐθνῶν of uncertain date both use the nominative neuter singular form of the adjective, which should probably by supplemented by *biblion*, i.e., *Strategikon biblion* (*Handbook on Generalship* in the former case and *A General's Handbook on the Customs of Different Nations* in the latter). In none of these examples nor in the occasional use of *strategikos* in the titles of other Byzantine military works can a rusé nuance of the adjective be proved. The only Byzantine work with *strategemata* as a key word in its title and attested by a manuscript (as opposed to works unattested by a manuscript or by a reference in another author but whose existence is conjectured by Alphonse Dain and his students) is the Στρατηγήματα ἀνδρῶν παλαιῶν (*Strategemata Ambrosiana*), a paraphrase of some exempla from the *Excerpta*

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mous *De incredibilibus* of uncertain date: in A. Westermann. ed., *Mythographi* (Braunschweig 1843) 323. Nothing can be argued from the so-called *Excerpta Polyaeni* (Ὑποθέσεις τῶν ἐκ τῶν στρατηγικῶν πράξων) also of uncertain date, a rearrangement of 356 of Polyaenus' stratagems by military topics, nor from Polyaenus' inclusion in a list of military writers who composed *Tactica* or *Stratigika* [sic] recorded in the lengthy title of Nicephorus Uranus' *Tactica* in the manuscript *Constantinopolitanus gr.* 36. On these works see Alphonse Dain, "Les stratégistes byzantins," *Travaux et mémoires* 2 (1967) 337, 371. The *Suda*'s entry for a Polyaenus who wrote a *Tactica* in three books (the *Strategika* has eight) need not be our Polyaenus. Dain, 344, erroneously cites Stob., *Anth.* 4.41 Hense (cf. *Anth.* 4.53, 55) as a reference to Polyaenus' *Strategika*, but Stobaeus refers to the *De concilio* of a Polyaenus who likewise may not be the compiler of stratagems.

Polyaeni.[36] Nevertheless, stratagems were the predominant theme of Byzantine military theory.[37]

A firm conclusion on the meaning of Polyaenus' title is not possible. We have seen that *strategika* acquired a rusé nuance by the first century and that, therefore, *strategika* could indeed be used as a synonym for *strategemata*. Yet even if Polyaenus (rather than a Byzantine scribe) did entitle his collection of stratagems *Strategika*, it was a unique occurrence, and the problem still remains of Frontinus' distinction of *strategika* from *strategemata*, which Polyaenus did not observe in his work. *Strategika*, however, taken in its original and most common sense, was in Greek after the second century B.C. no longer an obvious equivalent of *strategemata*, now predominately understood as military trickery. But it is time to consider the entry of *strategema* into Latin and to view the problem from Frontinus' perspective.

Strategema first appears in a Latin text on 10 May 51 B.C., when Cicero writes to Atticus from Pompeii (*Ad Att.* 5.2.2) that he encountered their mutual associate C. Sempronius Rufus at Cumae, who succeeded in avoiding his creditor Vestorius by a stratagem. *Strategema* is thus initially used metaphorically and Cicero writes the word in Greek. Why he should prefer the Greek *strategema* to one of its Latin equivalents, such as *sollertia, dolus, ars, astutia*, or *calliditas* among components of the Latin stratagemic vocabulary, cannot be explained, unless this is Cicero's sarcasm. The next appearance of *strategema* comes late in 45 B.C. Once again Cicero writes the word in Greek, but feels compelled to offer a brief definition for his readers: "That was the plan of a commander, which the Greeks call a *strategema*."[38] This time the context is military: the *devotio* of the Decii viewed as a stratagem. For Frontinus (*Strat.* 4.5.15), however, a *devotio* is an example of tenacity and therefore a *strategikon*. Cicero possibly also

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36 The so-called *Leonis Imperatoris Strategemata*, falsely attributed to Leo VI and appearing in Melber's 1887 Teubner edition of Polyaenus (pp. 505–540), appears as a supplement to the *Sylloge tacticorum*, possibly composed *ca* 950, in the *codex Laurentianus* LXXV–6. Its manuscript title is Στρατηγικαὶ παραινέσεις ἐκ πράξεων καὶ στρατηγημάτων παλαιῶν ἀνδρῶν, 'Ρωμαίων τε καὶ 'Ελλήνων καὶ λοιπῶν. *De re strategica*: George T. Dennis: *Three Byzantine Military Treatises* (Dumbarton Oaks Texts 9; CFHB 25, Series Washingtoniensis: Washington 1985); Ps.-Maurice: George T. Dennis/Ernst Gamillscheg, *Das Strategikon des Maurikios* (CFHB 17, Series Vindobonensis: Vienna 1981); *De moribus diversarum gentium*: no modern edition: see Dain (n. 35 *supra*) 362; *Strategemata Ambrosiana*: J.-A. Foucault, *Strategemata* (Paris 1947). For surveys of Byzantine military treatises see Dain 317–92; Max Jähns, *Geschichte der Kriegswissenschaften vornehmlich in Deutschland* (Munich 1889) I, 139–82.

37 Cf. Walter E. Kaegi, *Some Thoughts on Byzantine Military Strategy* (The Hellenic Studies Lecture: Brookline 1983).

38 Cic., *Nat.D.* 3.15: *Consilium illud imperatorium fuit, quod Graeci* στρατήγημα *appellant.* For the date see Pease I, 20–22.

used *strategema* on one other occasion. If Plutarch (*Cic.* 38.6) gives an accurate quotation, Cicero sarcastically referred to Pompey's generalship in the civil war against Caesar as a *strategema*.

Cicero's introduction of *strategema* into Latin (at least to the extent that use of a Greek word written in the Greek alphabet appears in a Lain text) permits the following observations. First, since Cicero was famous for his Latin definitions of Greek philosophical terms (Plut., *Cic.* 40.2), it seems somewhat peculiar that his definition of *strategema* as *consilium imperatorium* is so brief. Of course the context of the passage calls for no more than an aside, but one would expect a lengthier explanation if the idea of stratagem as well as the Greek word were so totally foreign to the Roman mentality as some believe.[39] *Consilium* (plan, purpose, deliberation, insight, etc.), however, was one of the most common Latin words for stratagem. Cicero's terse definition was probably sufficiently clear to Romans.

Second, *strategema* for Cicero clearly means trickery or at least a clever deed. Both Cicero and Frontinus emphasize the self-sacrifice of the Decii which produced victory, but Frontinus in classifying the act as a *strategikon* stresses only this aspect, while Cicero sees the *devotio* also as a general's means to arouse a greater effort from his forces. The discrepancy between Cicero and Frontinus arises from a difference of perspective, not an irreconcilable opposition of *strategika* and *strategemata*.

Third, the un-military Cicero seems a rather unlikely source for the introduction of a semi-technical word such as *strategema* into Latin. Where did he learn it? The scanty evidence percludes a definitive answer, but a plausible solution is available. Cicero's letter to Atticus of 10 May 51 B.C., in which *strategema* initially appears, was written during his journey from Rome to assume command as proconsul of Cilicia. Since the disastrous defeat of Marcus Crassus at Carrhae in 53 B.C., eastern affairs were unsettled and a Parthian invasion of Syria, Cilicia, and Cappadocia seemed imminent. It is only natural that Cicero, inexperienced in military affairs, might seek some guidance from Greek handbooks on the subject. He had read Xenophon's *Cyropaedia* some ten years before (*Ad Att.* 2.3.2), but this does not help, since *strategema* does not occur in this work. In a letter probably of mid-March 50 B.C. (*Ad fam.* 9.25.1) Cicero thanks his old friend L. Papirius Paetus for his military advice and shows some familiarity with the *Tactica* of Pyrrhus and Cineas' epitome of Aeneas Tacticus. The original text of Aeneas' work (not Cineas' abridgement) survives in a long fragment on siegecraft and emphasizes stratagems, but does not contain the word *strategema*, although as a treatise of the mid-fourth century B.C. Aeneas could have used the word. Pyrrhus' *Tactica*

[39] Brizzi (Preface n. 4).

is known only from a few references and scattered fragments. Pyrrhus, however, was famous for stratagems and a writer of the second century B.C. even rated him better than Alexander the Great in this aspect of generalship. Moreover, Pyrrhus (presumably the *Tactica*) is the only source explicitly cited by Frontinus.[40] Cicero probably learned the word *strategema* from reading Pyrrhus.

After Cicero nearly three-quarters of a century pass before *strategema* reappears in a Latin text. The great Augustan age of Latin literature ignored the word. Livy, however, records many stratagems of both the Romans and their opponents. A Latin historian did not need a Graecism to describe Roman ingenuity or barbarian cunning. More significantly, Livy offers two definitions of stratagem: one in 1.28.5 attempts a Latin equivalent of *strategema*, while a second in 42.47.4–9, derived from Polybius, offers rather an operational description of the concept. Only Livy 1.28.5 is of immediate concern.

During the reign of Tullus Hostilius (traditionally 673–42 B.C.) the dictator of Alba Longa and a Roman ally, Mettius Fufetius, conspired with Fidenae, a Roman colony, and the city of Veii, Rome's chief rival at the time, for the overthrow of Rome. When the joint forces of Tullus and Mettius faced the armies of Veii and Fidenae in battle, Mettius treacherously withdrew his men from the Roman formation according to plan, leaving the Roman flank exposed. To counter the panic then rising in the Roman forces, Tullus cleverly shouted to his men that Mettius was acting on orders to outflank the Fidenates. With Roman courage bolstered and their opponents demoralized by the apparent failure of their plan, Tullus won the battle (Liv. 1.27). Tullus' "white lie" illustrates a type of stratagem sometimes called a *salubre mendacium*, and many sources refer to Tullus' clever action as a stratagem.[41] For Livy (1.28.5) Tullus' action is a *consilium et imperii simulatio* (a plan and the pretense of a command).

Valerius Maximus offers antiquity's first formal definition of *strategema*, which marks the first appearance of the word written in the Roman alphabet. Unfortunately a corrupt text permits only a tentative translation: "Truly that aspect of cunning is illustrious and far removed from all reproach, whose deeds are called by the Greek expression *strategemata*, because they can scarcely be suitably expressed by (a single Latin?) term."[42]

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[40] Ael.Tact. 1.2; Arr., *Tact.* 1.1; Front., *Strat.* 2.6.10, 3.21 (cf. Il. 4.297–300; Amm. 24.6.9), 4.1.14; Liv. 35.14.8; Amm. 24.1.3; Procles of Carthage, *FGH* IV 484 fr. 2 = Paus. 4.35.4; Donat. *ad* Ter., *Eun.* 783 = 4.7.13. It is uncertain if Pyrrhus' *Poliorcetica*, cited in Ath.Mech. 6.1, 31.6–10, is part of the *Tactica* or a separate work.

[41] Liv. 2.64.6; Dion.Hal., *Ant.Rom.* 2.28.10 cf. 3.24.5, 28.9; Val.Max. 7.4.1; Front., *Strat.* 2.7.1. The stratagem of *salubre mendacium* will be examined in detail elsewhere.

[42] Val.Max. 7.4 praef.: *Illa vero pars calliditatis egregia et ab omni reprehensione procul remo-*

Valerius' definition hardly seems an advance over Cicero's *consilium imperatorium* or Livy's indirect definition, *consilium et imperii simulatio*. His identification of *strategema* with *calliditas* (cunning) rather than *consilium* is meaningless, since *consilium* is used to describe four of the five Roman stratagems in this section (7.4.1, 4–5) and in 7.4.3 we find a combination of the two ideas, *callido genere consilii* (a cunning kind of plan). Moreover, in his account of Hostilius' *salubre mendacium* (7.4.1), he approximates Cicero's *consilium imperatorium: quo imperatoriae artis consilio* (by this plan of a commander's craft). Similarly, Valerius' claim that the idea of stratagem cannot be expressed in Latin is supported neither by Valerius' own usage nor by Cicero and Frontinus, who in making this Greek-Latin comparison say only that the Greeks call military trickery *strategema*.[43] Valerius uses *strategemata* only as a chapter title and in his definition of the term (4.7 praef.), while the anecdotes of this section and those stratagems scattered elsewhere in his text are recounted in perfectly good Latin without need of the Greek word.[44]

Valerius' conception of stratagem is clear from his examples (7.4): a *salubre mendacium* to lift morale; a false refugee who corrupts the enemy from within; a psychological ploy of the besieged to demoralize their besiegers; deceiving one enemy army of your presence, while striking with double strength another army elsewhere; maneuvers to confuse the enemy, followed by a surprise attack; and besieging the foe's city when he makes an attempt against yours. For Valerius, it would appear, the psychological factor is the most important in stratagems—unsettling the enemy commander's mental disposition or restoring your own. In fact the object lesson of Valerius' five examples of Roman stratagems recalls Isocrates' praise of Timotheus' *strategema*—stratagem permits more to be accomplished without arms than with them, and even to achieve goals which arms failed to achieve. Tarquinius Superbus' capture of Gabii

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ta, cuius opera, quia appellatione† *vix apte exprimi possunt, Graeca pronuntiatione strategemata dicantur.*

43 Cicero's text in n. 38 *supra*. Frontinus, *Strat.* 1 praef. 1, emphasizes the succinctness of the Greek term: *sollertia ducum facta, quae a Graecis una στρατηγημάτων appellatione comprehensa sunt* (the clever deeds of generals, which have been grasped by the Greeks in the single expression of *strategemata*). We must not forget that all editors view Val.Max. 7.4 praef. as corrupt with the dagger of paleographic desperation coming after *appellatione* (text in n. 42 *supra*). Any corruption of the text, however, must have occurred at least before the twelfth century, since John of Salisbury quotes the text as it now stands: Clemens C.I. Webb, Johannis Saresberiensis, *Policraticus* (Oxford 1909) 8.14, 771d. If Frontinus used Valerius as a source, as some verbal similarity suggests, then conceivably *una Latina* has fallen from Valerius' text at some point in its transmission, and the chief discrepancy between Valerius and the views of Cicero and Frontinus vanish.

44 E.g., Val.Max. 1.2.3, 4, 3.4; 8.11.1 cf. Front., *Strat.* 1.11.11–13, 12.8 and Kappelmacher, "Iulius 243," *RE* 10 (1918) 601–602.

through the efforts of his son Sextus in the guise of a refugee and Q. Metellus' capture of the Spanish city Contrebia offer prime examples.[45]

By Valerius' definition stratagems are a form of cunning free from reproach, but he is aware of the possibility of moral or ethical condemnation. In Valerius, Tarquinius' capture of Gabii lacks any hint of the un-Roman behavior signaled in Livy, who branded this stratagem "an art the least Roman" (1.53.4), to vilify further the tyrannic character of Tarquinius, Rome's last king. Hannibal's tricks at Cannae (7.4 ex. 2), however, are denounced as unfair and detestable. Here Valerius contradicts his own definition of stratagem and portrays the common Roman bias that trickery against Romans is base, but trickery by the Romans is prudence.

Valerius' section on *strategemata* does not stand in isolation in his collection of anecdotes. Book seven pursues the theme of good fortune (*felicitas*), from which the first chapter takes its title, followed by chapters on "Wise Sayings and Deeds" (*Sapienter dicta aut facta*), on "Crafty Sayings and Deeds" (*Vafre dicta aut facta*), and on "Stratagems." The next chapter on "Defeats" (*De repulsis*) thus offers a contrast to the preceding four. Of interest is the preface to the "Crafty Sayings and Deeds": "There is another kind of deeds and sayings, advanced to the title of craftiness by the slightest turn from wisdom. This does not succeed, unless deceit will have added its strength. It seeks praise more greatly by a secret path than by an open road."[46] The anecdotes of this section do not differ significantly in conceptual content from those in 7.4, except that all in 7.4 but only some in 7.3 are military. Even so, Frontinus designates some of these or their variants as stratagems.[47]

In 7.3 praef. Valerius explicitly points to deceit as the factor characterizing craftiness and determining success, but *vafritia* (craftiness) is seen to be closely associated with *sapientia* (wisdom), a word possessing its own rusé connotations just as its Greek counterpart *sophia*, as we shall see in Chapters II–III. In short, Valerius places *strategemata* as the fourth link in a chain beginning with good fortune and continuing through wisdom and craftiness to stratagem. Except for 7.4 not all the anecdotes are military, but many are and some were indeed stratagems in Frontinus' view.

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[45] Val.Max. 7.4.2: Sextus "thought out a method stronger than arms" (*valentiorem armis excogitavit rationem*); 7.4.5: "Therefore if he [Metellus] had not forced his own mind to seek out stratagems, he would have had to lay siege in arms before the walls of Contrebia until extreme old age" (*ergo nisi mentem suam dolos scrutari coegisset, ad ultimam ei senectutem apud moenia Contrebriae armato sedendum foret*).

[46] Val.Max. 7.3 praef.: *Est aliud factorum dictorumque genus, a sapientia proximo deflexu ad vafritiae nomen progressum, quod, nisi fallacia vires adsumperit, finem propositi non invenit, laudemque occulto magis tramite quam aperta via petit.*

[47] Val.Max. 7.3.6 = Front., *Strat.* 1.10.1, 4.7.6; Val.Max. 7.3 ex. 8 = Front., *Strat.* 1.8.2; Val.Max. 7.3.7. cf. Front., *Strat.* 3.16.1, 4.7.36.

The association of stratagem with good fortune and success is a point to be pursued later.

In contrast to stratagem and craftiness stands Valerius' view of treachery (*perfidia*) in 9.6. Although not a definition of stratagem *per se*, treachery's close connections with stratagem and its use of some of the same operational principles merit its consideration here, and all Valerius' examples involve military or international perfidy.

> And now let a secret and tricky evil, treachery, be drawn from its hideout. Its most efficient strengths are to lie and to deceive. Its fruit, then certain when it has surrounded credulity with heinous chains, consists in a crime. Treachery brings so much misfortune to mankind as good faith offers safety. Therefore it should have not less reproach than good faith gains praise.[48]

Despite the rhetoric it is not immediately clear why the lying and deceit of treachery lead to crime, but the deceit of craftiness and stratagem do not. The answer lies with the violation of good faith, but good faith in itself can be a nebulous term, as Valerius (9.6.1) shows: good faith need not be kept with a traitor. Nevertheless, does not any stratagem violate the sense of good faith implicit in a code of honor in warfare? The definition of good faith will remain a key issue throughout the history of stratagem.

Valerius' definitions demonstrate that stratagems denote cunning, craftiness, and especially deceit, which supplies the key element. They derive from an intellectual characteristic only slightly removed from wisdom and seek, for the most part, advantage from the psychological displacement of one's opponent, enchaining his credulity only to snare him later. Such acts are above reproach, provided of course that good faith is not violated.

We must now return to our original point of departure—Frontinus' definition of stratagem and his distinction of *strategemata* from *strategika*. For Frontinus *strategemata* are the clever deeds of generals (*sollertia ducum facta*) and nothing in Latin use of the term from its introduction into Latin by Cicero to the end of antiquity contradicts Frontinus' definition. Cicero used the word metaphorically and sarcastically, but its meaning remained a clever military deed. Likewise, the only occurrences of the word in Classical Latin after Frontinus, appearing in two grammarians of the

48 Val.Max. 9.6 praef.: *Occultum iam et insidiosum malum, perfidia latebris suis extrahatur. Cuius efficacissimae vires sunt mentiri ac fallere, fructus in aliquo admisso scelere consistit, tum certus, cum credulitatem nefariis vinculis circumdedit, tantum incommodi humano generi adferens, quantum salutis bona fides praestat. Habeat igitur non minus reprehensionis quam illa laudis consequitur.*

fourth century, agree with this definition.[49] The Latin tradition therefore knew only one definition for *strategema* and this, coupled with the popularity of Frontinus' *Strategemata* in the Middle Ages and the Early Modern era, probably accounts for the dissemination of various forms of *strategema* in English and the Romance languages as a term for military trickery.

Hence Frontinus' distinction of *strategika* from *strategemata*, not otherwise found in Latin authors, appears to be a Greek and not a Latin problem. Frontinus had studied Greek military theory: Pyrrhus is explicitly cited and some believe he used Onasander. Frontinus also knew earlier collections of stratagems in both Greek and Latin.[50] Since, however, this distinction is ignored in Polyaenus, the only extant Greek example of this genre, the erudite Frontinus probably originated it himself to make a pedantic point.

Yet how valid is this point? By Frontinus' definition *strategemata* are a subset of *strategika*: therefore all *strategemata* are *strategika* but all *strategika* are not *strategemata*. The two terms are neither polar opposites nor, contrary to one view, is the distinction invalid.[51] In Greek the two words were originally synonyms. *Strategema* acquired the meaning of military trickery as its chief definition by at least the second century B.C. and *strategika* did not assume a rusé connotation until the first century A.D., although this new sense of the word remained rare. *Strategema*, however, never meant exclusively military trickery. In the Byzantine era the *Suda* (s.v. στρατήγημα) lists three definitions: trick (σόφισμα), the leadership of an army (ἡ τοῦ στρατοῦ ἡγεμονία), and success (ἡ κατόρθωσις).[52] "Trick" appears correctly as the first and presumably the primary definition, but certainly "principles or examples of generalship," *strategema*'s original definition, falls under the *Suda*'s "leadership of an army," as would *strategika*.

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[49] Donat. *ad* Ter., *Eun.* 783 = 4.7.13; Serv. *ad Aen.* 12.744. Contrary to Lewis & Short s.v. *strategema* I, the word does not appear in Florus, nor with the exception of 1.22.12ff (2.6.12ff) are the references given good examples of stratagem. The new *Oxford Latin Dictionary* contributes nothing new on this point, nor have I found it superior to Lewis & Short for other aspects of this study.

[50] Ael.Tact., praef. 3; Front., *Strat.* 2.6.10; Frontinus and Onasander: Peters 10; Erich Sander, "Frontin als Quelle für Vegetius," *BPW* 49 (1929) 1231; Dankfrid Schenk, *Flavius Vegetius Renatus: Die Quellen der Epitoma Rei Militaris* (Klio Beiheft 22: Leipzig 1930) 81–82. Esp. cf. Front., *Strat.* 1 praef. 4 and Onas. praef. 8. Earlier collections of stratagems: Front., *Strat.* 1 praef. 3.

[51] Cf. Schindler (n. 7 *supra*).

[52] Cf. Phot., *Lex.* s.v. Στρατήγημα and *Anecd.Bach.* I 371 line 21: Στρατήγημα, where identical definitions are found, although the two *eta*'s appearing as articles in the *Suda* (ἡ . . . ἡ) are presented as the conjunctions either/or (ἢ . . . ἢ). Adler notes no variant readings on this point for the *Suda*.

Although we cannot be sure what Polyaenus' title for his work was, we have seen that *strategika* with its rusé nuance could be justly used for a collection of stratagems, even if this usage would be unique for a title. By Frontinus' definition of the two terms, however, the argument of a rusé nuance for *strategika* becomes unnecessary: since *strategemata* are a subset of *strategika*, a work such as Polyaenus' including both *strategika* and *strategemata* could be suitably entitled using the more general term. On the other hand, the distinction of the two terms seems to be Frontinus' own with no support in extant Greek texts. Polyaenus did not use Frontinus as a source and thus this distinction was unknown to him.

If, as I argue, Frontinus' distinction of *strategika* and *strategemata* is his own invention and without parallels in either the Greek or Latin tradition of stratagems, Frontinus' intentions should be accounted for. Frontinus' *Strategemata* was not an independent work, but rather an appendix to his lost comprehensive treatment of the art of war.[53] His introductory sentence is instructive:

> Since I was the one and only person from a number of students of the art of war to have undertaken to draw up a science of military affairs and I seemed to have satisfied this goal, so far as my work has borne fruit, I think it is still owed to the work which has been begun to include in easily accessible notes the clever deeds of generals, which by the Greeks have been grasped in the single expression of *strategemata*.[54]

Surprisingly, and in contrast to the apologetic tone customary in ancient prefaces, Frontinus begins his *Strategemata* with a boast and an apparent falsehood. Since Greeks had been writing handbooks on the art of war since the fourth century B.C. and a Roman tradition in this field dates from Cato the Elder, Frontinus' claim to uniqueness as a military theorist cannot be taken seriously. His point must be *not* that he is the only military theorist, but that he is the only one who has succeeded in constructing a true science of warfare (*rei militaris scientiam*). Frontinus, writing in Latin, assumes his Roman audience is ignorant of Greek terms and *strategemata* in particular. As a writer on the art of war and a student of Greek

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[53] Front., *Strat.* 1 praef. 1; Veg. 1.8, 2.3; Lydus, *Mag.* 1.47 cf. 3.3; Kappelmacher, *RE* 10, 603. There is no evidence to support the view that the work's title was *De re militari*. Lydus cites a *De officio legati* which may or may not be the same work as Frontinus' *Peri strategias* also in Lydus. It is too simplistic to see Vegetius merely as a revision of Frontinus, but these matters must be pursued elsewhere. Cf. Schenk 39–83, 88; A.R. Neumann, "Vegetius," *RE*, Supplbd. 10 (1965) 1010–18; and my "The Legion as Phalanx," *Chiron* 9 (1979) 316–17.

[54] Front., *Strat.* 1 praef. 1: *Cum ad instruendum rei militaris scientiam unus ex numero studiosorum eius accesserim eique destinato, quantum cura nostra valuit, satisfecisse visus sim, deberi adhuc institutae arbitror operae, ut sollertia ducum facta, quae a Graecis una στρατηγημάτων appellatione comprehensa sunt, expeditis amplectar commentariis.*

military theory, Frontinus in his lost work probably felt he was performing much the same service as he did in composing his work on surveying, putting this science into Latin for the first time in the form of an Hellenistic technical manual (*techne*).[55] Of course Romans had been reading Greek military handbooks at least since the time of Marius, if not earlier, and even Cato did not escape Greek influence in this field.[56] But for Frontinus this did not matter: he alone had expounded a true science. Frontinus' distinction of *strategika* and *strategemata* thus sprang from his self-imposed role as an interpreter of Greek military theory for Latin readers, although nothing gives cause to think that Frontinus' lost treatise, so far as it can be reconstructed from the *Strategemata* and Vegetius, slighted Roman practice in favor of Greek or was merely a Latin version of a Greek manual. Romans would not understand the subtle Greek nuances hidden in *strategemata*, so an explanation was called for. A work of science (*scientia*) rather than a mere technical handbook (*techne*) would permit pedantry.

Well aware that his distinction however valid was hairsplitting, Frontinus twice warns his readers just how similar *strategika* and *strategemata* are, and his preface to the fourth book, apparently added as an afterthought and perhaps hastily composed, if the repetition of some anecdotes from the first three books is any clue, betrays an entirely defensive tone.[57] Moreover, Frontinus' prime source for his *strategika* in 4.1–6 was Valerius Maximus, seen not so much in the verbal similarity of the examples as in the same anecdotes recounted under practically identical chapter titles.[58]

In sum, Frontinus sought to clarify a point about Greek military terminology for his Roman audience. It was a sound but pedantic distinction. Earlier Latin writers had certainly used the term *strategema* correctly and Roman commanders had understood the idea of stratagem, if not the Greek word, for centuries, while for Greeks the nuances of two words in their native tongue posed no problem. Nevertheless, Frontinus' designation of anecdotes as *strategika* rather than *strategemata* and *vice versa* is often subjective and open to debate. Not only Polyaenus, a Greek who had

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[55] Kappelmacher, *RE* 10, 595–97; Fuhrmann 98–104, 181.

[56] Sall, *Iug*. 85.12; Cic., *Acad.pr*. 2.2, *Leg.Man*. 10, 28, *Ad Att*. 2.3.3, *Ad Quint*. 1.1.23, *Ad fam*. 9.25.1 cf. *Font*. 43; Diod. 39.9; Cato: see Wheeler, *Chiron* (1983) 18–20.

[57] Front., *Strat*. 1 praef. 4; 4 praef; list of doublets: Kappelmacher, *RE* 10, 601. The authenticity of *Strategemata* IV has been proved by Gerhard Bendz, *Die Echtheitsfrage des vierten Buches der frontinischen Strategemata* (Lunds universitets årsskrift, N.F. Avd. 1 Bd. 34, nr. 4: Lund 1938). For more recent additional arguments for authenticity: V.V. Kuchma, "Some Disputed Questions concerning the *Strategemata* of Sextus Julius Frontinus," *VDI* (no. 4, 1984) 45–55 (in Russian).

[58] A comparative list in Kappelmacher, *RE* 10, 601–602.

never read Frontinus, but also Latin writers differed from Frontinus on this issue: the *devotio* of the Decii was a *strategema* for Cicero, a *strategikon* for Frontinus, and Frontinus drew examples from Valerius Maximus not found in Val.Max. 7.4.[59]

For Greeks and Romans the concept of stratagem, so far as expressed in the word *strategema*, denoted a commander's act of cunning or cleverness. Deception could play a major role in a *strategema*, although it was not a *sine qua non*. Likewise, trickery, the term's most common meaning, was not always present. A *strategema* could be offensive or defensive, strategic or tactical, directed against an enemy or toward one's own army. Any and all military activity could involve a stratagem.[60] Through metonymy the term also came to denote chicanery in diplomacy or domestic politics, or even a trick in general. Furthermore, a *strategema* illustrated the Odysseus ethos: unseen, often non-violent and/or psychological means were not only superior to direct brute force for achieving goals, but also could accomplish feats when weapons proved to be failures.

The connotation of *strategema* was entirely positive: a form of cunning free from reproach and whose associations lay with wisdom, cleverness, good fortune, and success. As I shall argue elsewhere, a contrivance must have at least a reasonable rate of success to qualify as a stratagem, and the *Suda*'s definition of *stratagema* equates the term with success (*katorthosis*). This positive connotation of *strategema* can also explain the change in the chief definition of the term from principles or examples of generalship to military trickery: outstanding generalship demonstrated a commander's ingenuity and cleverness and thus a trick could become a principle or example worthy of imitation (cf. Front., *Strat.* 1 praef. 1). Apart from Cicero's sarcastic use of *strategema* to ridicule Pompey's generalship (Plut., *Cic.* 38.6), the word occurs in a military context only once in the entire period from the fourth century B.C. to the second century to designate an unsuccessful act: Plutarch's reference to Marcellus' "untimely stratagem" (ἀκαίρῳ στρατηγήματι: *Marc.* 25.6) must be termed an anomaly.[61]

To the Graeco-Roman views of *strategema* must now be added that of a

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[59] See nn. 44, 47 *supra*.

[60] As Brizzi notes, 7 with n. 17, *strategema* does embrace activities associated with modern concepts of espionage and intelligence gathering, but we find nothing in ancient definitions of the word to indicate that Greeks and Romans viewed espionage as the chief or even a major part of the word's frame of reference.

[61] It is not clear from the parallel account of the battle near Canusium in 209 B.C. in Livy 27.12.14–15 that Marcellus' act was a true stratagem at all: when his right flank weakened, Marcellus ordered the eighteenth legion in reserve to support it, but the mingling of those in retreat with those marching to the front created a confusion which the Carthaginians converted into a rout.

third group figuring prominently in any accurate assessment of the ancient concept of stratagem—the Christians. Indeed the first definition of the term in Greek comes from the pen of Clement of Alexandria:

> *Strategema* consists of three elements: security, boldness, and a mixture of the two, each of which is composed of three parts: speech, actions, and a combination of these. It will be possible to accomplish all these by persuasion, violence, injustice in self-defense, justice (when pertinent), deceit, truthfulness, or use of all these simultaneously.[62]

Clement's definition occurs in a chapter on Moses as the ideal leader and, in particular, precedes a discussion of Moses' generalship, which is alleged to have been a model for Greek commanders. Clement illustrates a common motif among Christian apologists that the Hebrew tradition espoused by Christianity not only antedates the Graeco-Roman in its cultural and technological inventions and discoveries, but also was superior to it. The complex problems of the Christian view of stratagem and of Moses as the ideal general cannot be pursued here. Of immediate concern is what Clement's definition of *stratagema* means.

It is not certain that Clement's *strategema* solely denotes stratagem, especially since this section follows a discussion of *to taktikon*, taken not in its military sense as "tactics" but in its most literal meaning as a "faculty of organizing things." In all likelihood Clement, like Polyaenus, remains rooted in the Greek tradition and preserves the word's various nuances. The definition lends itself to several interpretations. Security and boldness, two basic elements of the military art, are complementary ideas: the need to preserve one's own forces, while having the ingenuity to surprise the enemy. We could see here the caution of Onasander (32.3–4) on the use of rash measures or, in a different light, a repetition of Frontinus' point (*Strat.* 1 praef. 4) that stratagems may be offensive or defensive. Clement's statement of the verbal and active properties of *strategema* directly recalls the definitions of Valerius Maximus (7.3. praef.) and again Frontinus (1 praef. 4).

In his discussion of Moses' generalship, however, Clement emphasizes three points: first, Moses' foresight in suspecting an Egyptian pursuit of the Hebrews and night marches through the trackless desert to evade them; second, the Hebrews' hardships in the desert which give them

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62 Clem.Al., *Strom.* 1.24, 160.1–3: Ἰδέαις δὲ ἐνέχεται τὸ στρατήγημα τρισίν, ἀσφαλεῖ, παραβόλῳ καὶ τῷ ἐκ τούτων μικτῷ· συντίθεται δὲ τούτων ἕκαστον ἐκ τριῶν, ἢ διὰ λόγου ἢ δι' ἔργων ἢ καὶ δι' ἀμφοτέρων ἅμα τούτων. Ταῦτα δὲ ὑπάρξει πάντα ἐπιτελεῖν ἢ πείθοντας ἢ βιαζομένους ἢ ἀδικοῦντας ἐν τῷ ἀμύνασθαι ἢ τὰ δίκαια ποιοῦντας, οἷς ἐμπεριέχεται, ἢ ψευδομένους ἢ ἀληθεύοντας, ἢ καὶ τούτων ἅμα τισὶ χρωμένους κατὰ τὸν αὐτὸν καιρόν.

strength, experience, and trust in God; and third; Moses' capture of enemy land by surprise attacks. Certainly the first and third points are stratagems, and indeed the first is reenforced by the association of *strategema* with the concept of *anchinoia* (quickness of thought: *Strom.* 1.24, 161.1): "The *strategema* of Moses teaches that in the face of dangers one must grasp with a single glance the expedient and act accordingly." In contrast, the third point, Moses' surprise attacks (*Strom.* 1.162.1), is described as "excellence of generalship" (ἀρετὴ τοῦ στρατηγικοῦ) and the "work of experience and generalship" (ἐμπειρίας γὰρ καὶ στρατηγίας ἔργον). Clement's use of *strategema* thus offers nothing new and maintains the Greek ambiguity between principles or examples of generalship and military trickery.

The significance of Clement, however, lies not in his obscure definition. For a Christian writer his last sentence (*Strom.* 1.160.2) offers the greatest surprise. The amoral tone concerning injustice (even for defense) and deceit contrasts sharply with our normal expectation of Christian ethics. Indeed a more moral tone occurs in the pagan Valerius Maximus (9.6. praef.). It would thus appear from Clement that the Judeo-Christian tradition fostered a much more liberal attitude toward stratagem than did that of the pagans. Clement's source for his definition of stratagem is most probably not a Christian writer, nor do his apparent echoes of Frontinus and Valerius Maximus necessarily mean he consulted Latin sources. As I hope to demonstrate elsewhere, Clement like other Christian writers has been influenced by Stoicism.

To conclude this discussion of ancient definitions of stratagem, two other passages merit consideration, although the word *strategema* appears in neither: first, Aristotle's definition of μηχανή which conveys an important aspect of the concept of stratagem; and second, the "old senators'" rebuke of Q. Marcius Philippus' and A. Atilius' embassy to Greece in 171 B.C., which includes a list of some of the most common ancient stratagems and thereby offers an operational description of the concept.

Concealed in Frontinus' *sollertia ducum facta* and various references to cleverness in other authors is the creative and imaginative talent required of a general to produce a stratagem. Aristotle properly emphasizes this aspect in his definition of *mechane*, which for him denotes a mechanical device or a machine. If, however, his interpretation is taken metaphorically, it can serve as a definition of stratagem:

> Whenever need requires us to do something contrary to nature, we are at a loss because of the difficulty and skill is required. Therefore we call the part of skill which brings aid to such cases of need a device, for it is true, as

> the poet Antiphon said: "we conquer by skill the matters in which we are defeated by nature."[63]

Thus stratagem is an artificial device contrived in time of difficulty to produce an effect otherwise contrary to the given situation. Stratagems can work miracles, provide avenues of escape from hopeless situations, and achieve the seemingly impossible. It is no wonder that stratagems could be associated with magic.

In contrast to Aristotle's *mechane*, Polybius' mouthing of Roman propaganda preserved in Livy (42.47.4–9) presents a more concrete illustration of what the ancients considered stratagems to be:

> The old senators mindful of ancient custom tried to deny that they recognized Roman skills in this embassy. Their ancestors had waged wars not through ambushes and nocturnal battles, nor through feigned flight and unforeseen returns upon a careless enemy, nor so that they might take pride in cunning more greatly than in true courage. They had been accustomed to declare wars before they waged them and even sometimes to announce a battle and to prescribe the location in which they were going to fight. With the same good faith they told King Pyrrhus that his physician was plotting against his life; with the same good faith they had handed over in chains to the Faliscans the betrayer of their children. This was Roman behavior, not Punic tricks and Greek craftiness, among whom it was more glorious to deceive an enemy than to conquer by force. Occasionally in the short run there was more profit in trick than courage. But in the long run the spirit of a man was at last conquered, who confessed that he had been overcome neither by craft nor by accident, but by open hand-to-hand combat in a just and righteous war. The older senators said this, to whom a new and excessively cunning wisdom was less pleasing.[64]

This hypocritical Roman condemnation of the Odysseus ethos requires no commentary. If Greek and Roman usage of *strategema* and the ancient definitions of the concept of stratagem are now clear, the more common Greek and Latin means of expressing this idea should be examined.

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[63] Arist., *Mech.* praef., 847a: ὅταν οὖν δέῃ τι παρὰ φύσιν πρᾶξαι, διὰ τὸ χαλεπὸν ἀπορίαν παρέχει καὶ δεῖται τέχνης. διὸ καὶ καλοῦμεν τῆς τέχνης τὸ πρὸς τὰς τοιαύτας ἀπορίας βοηθοῦν μέρος μηχανήν. καθάπερ γὰρ ἐποίησεν 'Αντιφῶν ὁ ποιητής, οὕτω καὶ ἔχει· τέχνῃ γὰρ κρατοῦμεν, ὧν φύσει νικώμεθα.

[64] Liv. 42.47.4–9: *veteres et moris antiqui memores negabant, se in ea legatione Romanas agnoscere artes. non per insidias et noctura proelia, nec simulatam fugam improvisosque ad incautum hostem reditus, nec ut astu magis quam vera virtute gloriarentur, bella maiores gessisse: indicere prius quam gerere solitos bella, denuntiare etiam interdum* ⟨*pugnam et locum*⟩ *finere, in quo dimicaturi essent. eadem fide indicatum Pyrrho regi medicum vitae eius insidiantem; eadem Faliscis vinctum traditum proditorem liberorum*; [*regis*] *haec Romana esse, non versutiarum Punicarum neque calliditatis Graecae, apud* ⟨*quos*⟩ *fallere hostem quam vi superare gloriosius fuerit. interdum in praesens tempus plus profici dolo quam virtute; sed eius demum animum in perpetuum vinci, cui confessio expressa sit, se neque arte neque casu, sed collatis comminus viribus iusto ac pio esse bello superatum. haec seniores, quibus nova ac nimis* ⟨*callida minus*⟩ *placebat sapientia*. Cf. Diod. 30.7.1. Polybian origin of the passage: Walbank, *HCP* III, 299.

CHAPTER TWO

THE GREEK VOCABULARY OF STRATAGEM

In both Greek and Roman civilizations the idea of stratagem was not tied to the use of the word *strategema*. Stratagems occurred in Greek and Roman warfare before this word entered either language, and historians could describe a stratagem without the label *strategema*. Indeed, as the previous chapter shows, *strategema* is a rather infrequent word in Greek and even rarer in Latin. Thus the bulk of stratagems in ancient sources are depicted with words other than *strategema*[1] or even sometimes without any word of rusé connotation.[2] This chapter seeks to examine the Greek vocabulary of stratagem, the tone and various nuances of its components, and to determine to what extent a technical terminology for military trickery can be discerned.

Stratagems, however, do not denote exclusively individual acts of military ingenuity, for they also involve a way of thinking and a pattern of intellectual behavior. A mentality of stratagem can be seen in the words describing ruses, and it reflects a set of attitudes and mental dispositions. In a sense, this and the following chapter probe the psyche of the rusé general through the Greek and Latin vocabulary of stratagem.

To speak of "the mentality of stratagem" is not to invent a jargonistic theoretical construct: the Greeks called the type of intelligence of which stratagem offers a key illustration μῆτις (cunning intelligence). Although primarily a word of Homer and the epic tradition, *metis* is a thought process which implies a complex but coherent body of mental attitudes, combining flair, wisdom, forethought, subtlety of mind, deception, resourcefulness, vigilance, and opportunism with various skills and experiences acquired over time. *Metis* principally emerges in shifting, disconcerting, and ambiguous situations, where precise calculation and rigorous logic either fail or lack time to operate.[3] It cannot escape the student of Clausewitz that this definition has military implications and describes the intellectual powers required of any good general who avoids getting lost in the fog of war. Nor will the reader of Homer fail to recognize the character traits of Odysseus, who is *polymetis* (of many counsels)

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[1] Cf. Arnaud 3–4.

[2] E.g., Thuc. 6.34.7–9, 8.95; Xen., *Anab.* 2.3.1–3, *Hell.* 3.2.18; Plb. 3.93–94.6; Onas. 10.9, 13–14. Cf. Arnaud 5–6.

[3] Detienne/Vernant 3, 11.

as well as *polytropos* (wily).[4] Besides obvious traits associated with stratagem, such as deception and trickery, *metis* also embraces two other characteristics stressed by ancient authors—foresight (πρόνοια/*providentia*) and opportunism (καιρός/*occasio*) The success of a stratagem depends to a great extent upon foreseeing a result in a particular situation and knowing the exact time to employ the proper means.[5]

In imitation of Frontinus' distinction of *strategika* from *strategemata, metis* can be said to represent the *genus* of which the components of the strategemic vocabulary form the *species*. The word *metis*, nevertheless, rarely appears as part of that vocabulary, especially after the fourth century B.C. Since *metis* denotes the practical intelligence seen not only in military affairs but also in politics, medicine, and the skills of artisans, philosophers, and Plato in particular, rejected its study: it led to inexact knowledge in comparison to the eternal truths of real wisdom, and, just as in Plato's similar rejection of mechanics (originally an aspect of geometry), banausic arts offended the aristocratic sensibilities of philosophers.[6] *Metis* thus characterizes the entire stratagemic vocabulary without being an essential part of it.

The Greek stratagemic vocabulary can be divided into four categories: first, those words most commonly used for stratagem: σοφία and its variants (e.g., σόφισμα, σοφίζομαι), τέχνη and its variants (e.g., τέχνασμα, τεχνάζω, τεχνάομαι), μηχανή and its variants (e.g., μηχάνημα, μηχανάομαι), δόλος and its variants (e.g., δόλευμα, δόλωμα, δολόω), ἀπάτη and ἀπατάω and their variants, κλέπτω and its variants (e.g., κλέμμα, κλοπή), and πανουργία and πανουργέω; second, some words of only occasional use: φρόνησις, λόγος, δεινότης, ἐπίνοια and ἐπινόημα, πάλαισμα, and ψεῦδος with its variants; third, Hellenistic additions: πρᾶξις, πραξικοπέω, and μέθοδος; fourth, terms for specific stratagems: λόχος (λοχάω, λοχίζω), ἐνέδρα (ἐνεδρεύω), ἐπιδρομή, προδοσία, and ἀντιπερίστασις. Treatment of ἀγχίνοια, an important aspect of *metis*, will close discussion of Greek terms.

1. Most Common Words

Sophia initiates the first category of the most common words for stratagem. Its Homeric meaning as "skill," later supplemented by "practical wisdom" and "cunning," is a far cry from that *sophia* regally enthroned

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4 *Ibid.*, 39. Cf. Clausewitz' chapter on military genius: Carl von Clausewitz, *On War*, trans. Michael Howard/Peter Paret (Princeton 1976) 100–12 (Bk I, ch. 3).

5 Detienne/Vernant 27.

6 *Ibid.*, 4–5, 316–18; Plut., *Marc.* 14.6.

by Plato and others as the chief pursuit of philosophy.[7] *Sophia* denotes a kind of inventive intelligence which permits to take over good things from others or to create them for one's self.[8] Indeed divine foresight is associated with *sophia*, not to mention the cunning of devising a stratagem.[9] For the lexicographer Hesychius *sophia* means every craft (*techne*) and scientific knowledge (*episteme*), a definition which should be compared with Herodotus' judgement (9.62.3) that Greek *sophia* and *episteme* were key factors in victory over the Persians at Platea in 479 B.C. Even the *sophia* of the Spartan Chilon, one of the legendary Seven Wise Men, could involve strategy.[10] More significantly, *sophia* could be associated with the Odysseus ethos: when Sertorius used dust clouds blown by the wind to evict a hostile Spanish tribe from impregnable caves, Plutarch praises his *sophia* for accomplishing something not possible with arms. Likewise, Plato in a comparison of Achilles and Odysseus characterizes the latter as *sophos*.[11] Yet despite possible sarcastic use of *sophia* and instances of gymnastics in logic, such as Plato's dialogues, a pejorative use of *sophia* or the adjective *sophos* is difficult to prove.[12]

Although expressing an aspect of the mentality of stratagem, *sophia* rarely appears as an exact synonym for ruse.[13] Sertorius' stratagem with dust clouds demonstrated his *sophia*, but the dust clouds *per se* are not *sophia*. In contrast lie *sophisma* (clever devise, sly trick) and the verbs *sophizesthai* (to devise cleverly, to deceive) and *katasophizesthai* (to outwit). In the *Suda strategema* is defined as *sophisma* and from the time of Herodotus on, *sophisma* and its related verbs were favorite terms to denote stratagem.[14] Unlike *sophia* and *sophos*, however, *sophisma* and its verbal equivalents suffered to some degree the fate of *sophistes* (sophist), which in the late fifth and early fourth centuries B.C. acquired a bad taste in the

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7 A survey of the word's history in Guthrie III, 27–34. Cf. Plato's distinction of *sophia* from *panourgia* in *Menex.* 246e–47a (cited in Cic., *Off.* 1.63), *Lach.* 197b.

8 Hdt. 1.60.3 cf. 7.102.1; Hans Diller, "Die Hellenen-Barbaren Antithese in Zeitalter der Perserkriege," in *Grecs et barbares* (Entretiens Hardt 8: Vandoeuvres/Geneva 1962) 67–68; Camerer 12 cf. 95.

9 Hdt. 3.108.2; Plut., *Cimon* 9.2: *sophotaton* (most wise, most cunning) directly connected with *strategema*.

10 Hdt. 7.235; Camerer 33–34. Camerer's attempt to find military expertise for the Scythian sage Anacharsis cannot be substantiated by Strabo 7.3.9. The military *sophia* of Agesilaus is another matter: Xen., *Ages.* 6.4–8, 11.9.

11 Plut., *Sert.* 17.7; Pl., *Hipp.Min.* 366a. Cf. Hdt. 3.127.2.

12 Cf. Helene Homeyer, "Zur Bedeutungsgeschichte von 'Sapientia,'" *AC* 25 (1956) 318.

13 E.g., Dion.Hal., *Ant.Rom.* 2.55.1, 3.24.5, 4.51.2; Polyaenus 1.2.

14 *Suda* s.v. στρατήγημα cf. Paus. 4.28.7; *sophisma* etc. = stratagem: e.g., Hdt. 1.80.4, 3.152; Camerer 40 n. 38, 95; Plb. 6.58.12; Plut., *Fab.* 5.3; Paus. 7.26.3; Arr., *Anab.* 3.10.2; App., *Mith.* 67; Polyaenus 5.2.3; Dio 71.3.1; Basil, *Hom. in Prov.* 12, *PG* 31, 412; Procop., *Bell.* 2.21.29.

mouths of Athenians.[15] Yet an exclusively pejorative sense for these words cannot be proved and their neutral tone should be acknowledged.

Of equal antiquity and initially at least of similar meaning to *sophia* is *techne* (skill, craft, cunning). Closely related to *tekton* (carpenter, housebuilder), *techne* never lost its connection with technical skill, which before the fifth century B.C. was believed to involve divine powers. Thus *techne* could have a magical connotation which was not distinguished from its literal sense as an artisan's craft. This intertwining of magic and technique is demonstrated in the famous story of how Hephaestus trapped his unfaithful wife Aphrodite in bed with Ares and exposed their amorous intrigue to the other gods' amusement. The tale established the equation of *techne* with trick and symbolizes the triumph of intellect over physical power.[16] Homer and later writers often combined *techne* with the adjective *dolie* (tricky) to signify "trick" or "cunning," and its nuance implied an intellectual capacity manifested in technical skills rather than the arts of manual labor. By the fifth century B.C. *techne* became thoroughly secularized. *Technai* were arts which sophists claimed they could teach to anyone and *techne* provided the skill through which a weak could prevail over a stronger argument or a small army could defeat a larger one.[17] The path from *techne* as a skill in Homer to *techne* as stratagem is straight.

Techne, nevertheless, denotes not merely knowledge of how to do something, but also the creative ability of deciding what to do. For Aristotle *techne* is a capacity for creating with true reason. Like *metis*, frowned upon as inexact knowledge, *techne* is not tied to science but to the limits on science and prospers in interaction with chance.[18] Moreover, *techne*, a synonym for *sophia* in Homer, stands in rough opposition to Plato's elevated notion of *sophia* as the higher and eternal wisdom. Aristotle's view of *techne* also appears in his definition of *mechane*, which metaphorically taken serves as a definition of stratagem: *techne* is the skill providing the device (*mechane*) for escaping difficulty. Herodotus, who never uses *techne* for stratagem, nonetheless holds essentially the same view of *techne*'s role in devising a ruse: *techne* is a psychological process, a mentally contrived recourse for a problem created in thought but not yet present in reality. *Mechane* thus becomes *techne*'s manifestation.[19] *Techne* did not car-

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15 See Guthrie in n. 7 *supra*.

16 Od. 8.266–366, esp. 327, 332; Kube 9–14, 17; Vernant 227.

17 Kube 17–18, 35–36; Detienne/Vernant 23 n. 3; Vernant 228, 236.

18 Arist., *EN* 6.4.5–6; Aubenque 66, 68–69.

19 Camerer 40 n. 38, 62–64. I am not convinced by arguments that Herodotus sometimes had a negative view of stratagems and occasionally used *techne, mechane*, and *apate* pejoratively: S. Saïd, "Guerre, intelligence et courage dans les Histoires d'Hérodote," *AncSoc* 11/12 (1980/81) 83–117. These views must be addressed elsewhere.

ry a negative connotation, and unlike *sophisma* and *sophizesthai, technasma* (trick, artifice) and *technazein* (to use cunning, to contrive) were neutral words for stratagem.[20]

Often associated with *sophia* and *techne* are *mechane* (device, machine) and its variants *mechanema* (contrivance, machine) and *mechanasthai* (to contrive, to construct). In the *Suda mechane* means plan (*boule*) and *mechanema* is the direct equivalent of *strategema*, while for Hesychius *mechanai* denote skills (*technai*), inventions or designs (*epinoiai*), and plans (*bouleumata*). Aristotle's definition of *mechane*, cited earlier and properly emphasizing its inventive character, sees the term as an artificial device contrived in time of difficulty to produce an effect contrary to nature.[21] Hence a good commander should be *mechanetikos* (inventive, clever) like Themistocles in Herodotus or Xenophon's Spartan Dercylidas, and according to a scholiast Homer taught generals to be *eumechanos* (ingenious, inventive).[22] Xenophon in fact puts the point succinctly: every general must be an inventor of stratagems (ποιητὴς μηχανημάτων)—a view which Frontinus and modern military writers echo.[23] Moreover, the word *mechanemata* is closely related in thought to *heuremata*, the inventions or discoveries through which human culture is advanced and which are in part a gift of the gods.[24] Creativity and inventiveness are not negative traits and Herodotus and Thucydides established *mechane* and its variants as standard terms for stratagem.[25]

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[20] E.g., *techne*: Thuc. 5.8.2; Jos., *BJ* 1.502, 511, 513 cf. 1.449 (equation of *techne* and *strategema*); Paus. 4.12.1; App., *Hann.* 13; Polyaenus 1 praef. 3, 8, 1.2; *technasma*: Aen.Tact. 28.4; Xen., *Hell.* 6.4.7; Polyaenus 1 praef. 7; *technazein*: Hdt. 1.63.2 (political); Thuc. 6.46.3; Plut., *Fab.* 22.1; App., *BC* 5.58. Cf. Ps.-Arist., *Oec.* 2.1.8; Jul., *Or.* 2.57B.

[21] Arist., *Mech.* praef. 847a (text in Chapter I n. 63) cf. Joh.Chrys., *De sacerd.* 1.9, *PG* 48, 631, where a similar function is attributed to *apate*. Orinsky, "Mechane," *RE* 15 (1931) 10, thinks *mechane* as stratagem is the equivalent of the epic word *mechos* (remedy, expedient), but in neither Homer nor Herodotus is *mechos* found in a military context: Il. 2.342, Od. 12.392; Hdt. 2.181.4, 4.151.2.

[22] On Themistocles as an *aner polymechanos* (a very inventive man) see Camerer 53–57. He was also nicknamed Odysseus: Plut., *Mor.* 869F. Dercylidas: Xen., *Hell.* 3.1.8; *eumechanos*: schol. *ad* Il. 21.331 cf. App., *Hisp.* 81. The *Suda* s.v. 'Οδύσσεια records the phrase 'Οδύσσειος μηχανή (an Odyssean device).

[23] Xen., *Cyr.* 1.6.38, *Mem.* 3.1.6 cf. Front., *Strat.* 1 praef. 1; Leo, *Tact.* 21.35, *PG* 107, 1083; Christoph Wilhelm Hoffmann, *Kriegslisten*[4] (Leipzig 1820) I, 32; Waldemar Erfurth, *Surprise*, trans. Stefan T. Possony/Daniel Vilfroy (Harrisburg 1943) 197; Earl Wavell, *Soldiers and Soldiering* (London 1953) 130; D. Grebenshchikov, *Kriegslist und Findigkeit*, trans. H. Eder (Berlin 1956) 5.

[24] Aesch., *PV* 447ff, 469ff; Soph., *Ant.* 332ff; Breitenbach 59 n. 69

[25] Herodotus: Camerer 40 n. 38, 94; Thuc. 4.46.4; 5.45.5; 6.38.4, 64.1; 7.25.8; Pherecydes of Athens, *FGrH* 3 F 82b; Plut., *Mor.* 987C; Arr., *Anab.* 5.10.4; Polyaenus 1 praef. 3, 7 praef.; Ath.Mech. 39.1; Jos., *BJ* 3.171; Euseb., *HE* 9.9.5, *Vit.Const.* 1.38.34; Zos. 2.15.4. Eusebius also associates *mechane* with pagan magic: *HE* 9.9.3. Arnaud's

Apart from slight nuances, the terms *sophia, techne,* and *mechane* are synonymous. Hesychius and the author of the *Suda* present essentially circular definitions in using one of these words to explain the others. From Homer to the tragedians of the fifth century B.C. a precise differentiation of the three words is not possible and a moral coloring of the words (that cleverness can be bad as well as good) first appears in Sophocles. These words represent a definite intellectual capacity for practical knowledge, creativity, and the ability to grasp the possibilities of a given situation and to seize the right moment for action.[26] This capacity, so important to a rusé general, is unmistakably tied to the kind of intelligence defined by *metis* and to the traits of *anchinoia.*

The next two word groups, *dolos* (trick) with its variants and *apate* (trick, deceit) with its cognate verb *apatan* (to deceive, to outwit), are both obvious and frequent synonyms for stratagem. *Dolos* signifies a "trap" and its original meaning might have been a "bait for fish." As a generic word, *dolos* can denote a trick in general or serve as a synonym for any kind of specific trickery: the Trojan Horse was a *dolos* to Homer, just as an ambush could be. In fact the tricks of sorceresses and gods gave the word a magical connotation and some believe the Trojan Horse, which later writers thought a machine, was originally a magic object to break the supernatural power of Troy's walls.[27]

In the contrast between force and trickery in Greek literature, symbolized by the opposition of the Achilles and the Odysseus ethos, *dolos* most often appears as the word for trickery and thus its frequency for stratagem brings no surprise.[28] Its tone is neutral, as some have already recognized,[29] but this issue is reserved for Chapter IV. Also of interest is that ἀδόλως (without trick) is the oldest (6th c. B.C.) form of an anti-deceit

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assertion (3 n. 1) that no equivalent for the modern *ruse de guerre* is found in Greek before Xenophon's use of *mechanemata* is debatable. Xenophon did not coin the term, which is earlier found in tragedy: LSJ⁹ s.v. Besides, despite its frequency in Xenophon for stratagem neither earlier nor later authors show the same preference for *mechanemata* to designate ruses, and stratagems certainly occurred in Greek warfare before Xenophon. Furthermore, Arnaud does not define modern *ruse de guerre*, which, as I shall demonstrate elsewhere, owes considerable debts to Classical ideas.

26 Camerer 2–3, 10–20.

27 Od. 8.494; Il. 6.187–89; Arnaud 5, 38 n. 2; Brown 18 with n. 28. Cf. Jan N. Bremmer, "Athena and the Trojan Horse," *MusAfr* 1 (1972) 4–8 and for a rationalistic interpretation of the story of the Trojan Horse see J.K. Anderson, "The Trojan Horse Again," *CJ* 66 (1970) 22–25.

28 Force/trick contrast: see Ch. I n. 17; *dolos* as stratagem: e.g., Hdt. 1.212.2; Plb. 36.9.9–10; Plut., *Sert.* 1.4, *Lys.* 7.4, *Mor.* 987C; Dion.Hal., *Ant.Rom.* 3.64.3; Polyaenus 1 praef. 3, 4, 12 (*dolos* and *strategema* equated); *doloma*: Aen.Tact. 8.2; *doleuma*: Aen.Tact. 39.1 *Dolos* does not appear in Thucydides: S. Saïd/M. Trédé, "Art de la guerre et expérience chez Thucydide," *C&M* 36 (1985) 66 n. 7.

29 Stanford 249 n. 17; Arnaud 27, 29 n. 5.

clause epigraphically attested in a Greek treaty. These clauses aimed to prevent circumvention of the terms through overly literal or unusual interpretation. By the fifth century B.C. *techne* and *mechane* also occur in such clauses—proof that the stratagemic vocabulary has a documentary as well as a literary basis.[30]

Like *dolos, apate* denotes a "trap," but its connotation places more emphasis on the lying and ambiguity which prepare the trap. Just as *techne* is the mental activity of which *mechane* offers the manifestation, so *apate* is a subjective process, the creative activity of changing an object or situation into something else, of which *pseudos* (the false) offers the objective aspect.[31] Eustathius derived *apate* either from an *alpha* privative joined to *patos* (path) and hence *apate* is a turning away from a straight path to an oblique and treacherous one, or it comes from combination of the preposition *apo* with *ate* (bewilderment, delusion sent by the gods). *Apate*'s magical connotation led to its use as "illusion" in the Hellenistic period and even to its equation with *terpsis* (delight, pleasure). Nor were the Christians ignorant of its magical nuance: John Chrysostom saw *apate* as "marvelous management" (*oikonomia thaumaste*).[32]

As a stratagemic concept *apate* of course receives high marks. In Xenophon's view *apate* produces the greatest success in war. Cassius Dio echoes this view, when he praises the generalship of P. Martius Verus (*cos.* 166, 179) and identifies him with the Odysseus ethos. Dio especially notes Martius' ability "to outwit the enemy by *apate*, which is the true strength of generals."[33] For Dionysius of Halicarnassus (*Ant.Rom.* 1.46. 1) the Trojan Horse was not a *dolos* as in Homer but *apate*. Indeed we find *apate* not only as a synonym for stratagem, but also directly equated with *strategema* and other words of the stratagemic vocabulary.[34] The coupling of *apate* and *dolos* often occurs, particularly regarding barbarians.[35]

In this discussion *apate* is the first word encountered so far which, at

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30 See my "Sophistic Interpretations and Greek Treaties," *GRBS* 25 (1984) 253–74.

31 Arnaud 5 n. 1; Untersteiner 108.

32 Eust. *ad* Il. 2.114, 188–89 and *ad* 6.202, 637; Plb. 2.56.12; Robert 5–15; Joh. Chrys., *De sacerd.* 2.1, *PG* 48, 631.

33 Xen., *Mag.eq.* 5.9, 11 cf. *Cyr.* 1.6.27 and Diod. 21.2.3; Dio 71.3.1 = *Suda* s.v. Μάρτιος: ἦν δὲ ἱκανὸς ὁ Μάρτιος οὐ μόνον ὅπλοις βιάσασθαι τοὺς ἀντιπολέμους ἢ ὀξύτητι προλαβεῖν ἢ ἀπάτῃ κατασοφίσασθαι, ἥπερ ἐστὶ στρατηγῶν ἀλκή.

34 *Apate* as stratagem: Thuc. 4.86.6; Aen.Tact. 23.6 (*apatema*); Plb. 4.8.3, 5.75.4, 36.9.9–10; Plut., *Lys.* 7.3, 8.4, *Sulla* 28.2, *Mor.* 987C; Polyaenus 1 praef. 5–7; Joh.Chrys., *De sacerd.* 1.8, *PG* 48, 629–30; *apate* = *strategema*: Dion.Hal., *Ant.Rom.* 3.64.3 cf. 15.3.10; Jos., *BJ* 2.604, 611; *apate* = *techne*: Paus. 4.12.1; *apate* = *sophia* and *techne*: Joh.Chrys., *De sacerd.* 1.9, *PG* 48, 631; *katastrategein* with *apate*: Plut. *Tim.* 11.1.

35 Ephorus, *FGrH* 70 F 71; Plb. 36.9.9–10; Polyaenus 7 praef.; Ps.-Maur., *Strat.* 7.B.11 Dennis, 7.4 Mihăescu.

least in English translation as "deceit," provokes an immediate negative reaction, although it cannot be assumed that Greeks would feel the same about *apate* or that all deceit is necessarily reprehensible. As early as Homer *apate* could denote perfidy in an agreement, but Greeks had more specific words for perjury (*epiorkia*), breaking an agreement (*paraspondein*), lie (*pseudos*), and treachery, treason, or betrayal (*prodosia*). Once again, an exclusively pejorative tone cannot be proven.[36]

"Stealing" in English may also have an immediate negative moral coloring, but the Greek *kleptein* (to steal, to deceive, to conceal) and its cognate nouns *klope* (theft, deceit, surprise) and *klemma* (theft, stratagem, fraud) portray a variety of nuances. The contrast between force (*bia*) and trickery (*dolos*) extends in a sense to the distinction in Greek law (Pl., *Leg.* 12.941b) between robbery (*harpage*) and thievery (*klope*)—once again a matter of open vs secret means. The root definition of *kleptein*, moreover, is not "to steal" but "to act secretly." Hermes, particularly in his capacity as Hermes Dolios, was a god of stealth, whose trickery assumed connotations of magic.[37] In fact according to myth Hermes' talent for trickery was passed to Odysseus: Autolycus, Odysseus' maternal grandfather and a son of Hermes in post-Homeric sources, excelled all men in deceitfulness (*kleptosyne*).[38]

The military applications of the *kleptein* word group are not slight. Both Xenophon and Plato stress that the good general must have the traits of a thief (*kleptes*): the ability to steal the enemy's plans and to conceal his own forces.[39] For Thucydides stratagems are *klemmata* and have the greatest fame in war.[40] Moreover, *klope*, although not a technical military term, often is used for surprise attack especially a surprise by night: Philo of Byzantium urges that when a siege by force fails, the besieger must resort to *klope*.[41] Alexander the Great stands at the opposite end of the spec-

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36 Il. 4.157, 168; Plut., *Lys.* 8.4; Ael., *VH* 7.12; Paus. 8.7.5; Arnaud 29 n. 5. For a general discussion of *apate* in Greek ethics see Leopold Schmidt, *Die Ethik der alten Griechen* (Berlin 1882) I, 250–51, 383.

37 Brown 6–18. For *klope* in Athenian law see now David Cohen, *Theft in Athenian Law* (MünchBeitr. 74: Munich 1983).

38 Od. 19.394–97; Pl., *Rep.* 1.334a–b; Polyaenus 1 praef. 6; Eust. *ad* Od. 19.396, 1870–71; Dümmler "Autolykos 1," *RE* 2 (1896) 2600–601; Stanford 11–12, 248 nn. 12–13.

39 Xen., *Cyr.* 1.6.27, *Mag.eq.* 5.2.7, *ResLac.* 2.7, *Mem.* 3.1.6; Pl., *Rep.* 1.334a; Delatte 22–23. Cf. Plut., *Arat.* 10.2 and Wavell 131: a general should be a "cat-burgler, gunman, poacher."

40 Thuc. 5.9.5 cf. 5.8.2 and schol. *in* Thuc. 5.9.5, where *klemmata* is equated with *strategemata*. It has been argued that *klemma* was the standard Spartan term for stratagem: Luschnat 70 n. 1. Also see Saïd/Trédé, *C&M* (1985) 68.

41 Phil.Mech., *Mech.Syn.* 5.D.72–73 Garlon. Pritchett, *GSAW* II, 156, claims Greek has no word for surprise attack and rejects *klope* in Xen., *Anab.* 4.6.14 cited in LSJ^9 (s.v.)

trum: at Gaugamela in 331 B.C. he proudly disdained any suggestion that he should steal a victory by a surprise night attack on the Persian army of Darius III. Likewise, the Spartans adduce the Achilles ethos in their claim never to have suffered defeat in an infantry battle before Leuctra in 371 B.C.: the Athenian capture of Sphacteria in 425 B.C. was not victory (*nike*) but *klope*. Alexander, however, also reveals himself less scrupulous when confronting the Indian king Porus in 326 B.C., since he devised a way to steal a crossing of the Hydaspes River.[42] Against barbarians the rules of the game could be bent.

The final group in the first category of the most frequent terms for stratagem includes *panourgein* (to play the villain), *panourgia* (villainy), and *panourgos* (as noun: rogue, villain; as adjective: cunning, crafty, clever). This group of words, in contrast to the others of this category, lacks Homeric roots and originates in the Athenian theater of the fifth century B.C. Villains of the stage display intelligence and cleverness, but misapply their creative talents for the wrong goals—hence a pejorative tone for these words. Plato distinguishes *panourgia* from *sophia* as knowledge divorced from justice and other virtue, while Aristotle makes a similar dichotomy between clever men who are prudent (*phronimoi*) and those who are *panourgoi*.[43] The concession made to the intelligence of a villain appears in the coupling of *panourgos* with other adjectives: for Demosthenes Philip II of Macedon is *panourgos* and *deinos* (cunning and clever) in a negative sense. Plato links *panourgos* to *sophos* only later to turn this positive association on its head, and the same technique is applied elsewhere, when he asserts wily men (*polytropoi*), such as Odysseus, owe this trait to their *panourgia* and *phronesis* (prudence).[44]

With the passage of time, however, these pejorative terms of the Athenian stage were moderated in tone. Polybius (5.75.2) could use *panourgotaton* (must cunning) in a neutral sense and the Christian bishop of Caesarea Basil the Great gives *panourgia* a neutral definition: "*Panourgia* is the do-

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because the passage (*Anab.* 4.6.11–16) plays on two senses of *kleptein*: the Spartans teach their youth to steal and the commanders of the Ten Thousand discuss in a council of war stealing, i.e., capturing by surprise, a mountain pass held by hostile Pontic tribes. The basis of Pritchett's rejection of *klope* appears invalid not only on the basis of this passage from Xenophon but also from his failure to note the word in Philo and in Dionysius, *Ant.Rom.* 2.38.2, 10.44.5, 13.8.4.

42 Alexander: Plut., *Alex.* 31.10–11; Arr., *Anab.* 3.10.2 cf. Curt. 4.13.3; Spartans: Paus. 1.13.5; Hydaspes: Arr., *Anab.* 5.10.2. Cf. Polyaenus 2.3.7, where a similar (and hypocritical) boast of refusing to steal victory is attributed to Epaminondas.

43 Pl., *Menex.* 246e–47a cf. Leg. 5.747b–c; Arist., *EN* 6.12.9 cf. Poll., *Onom.* 4.12, 14–15. We shall return to Aristotle's distinction later in discussion of *deinotes*.

44 Dem. 1.3; Pl., *Rep.* 3.409c, *Hipp.Min.* 365e. Cf. *Suda* s.v. 'Οδύσσεια, where *panourgia* is called Odyssean and Themistoclean. On the connection between Odysseus and Themistocles see n. 22 *supra*.

ing of everything with crafty refinement." Similarly, the author of the *Suda* notes that while *panourgos* can denote "the man who does everything in wickedness," it also refers to the "very wise man" (*pany phronimos*) and "the one who knows everything." His contemporaries, the encyclopedist states, use the word more moderately, while Atticists, attempting to imitate Classical Attic Greek in diction and style, employ it for excessive slanders.[45]

It would be foolish to argue that when *panourgein* or its cognates appear in relation to stratagem the cause is an author's Atticism. In many instances, however, an author's preference for words of this group does seem to reflect his intention to place a moral reproach on the individual or the deed. The animal symbolic of stratagem, the fox, is for Aristotle (*HA* 488b 20) a creature cunning and wicked (*panourga kai kakourga*). Xenophon saw the Spartan general Dercylidas as *mechanetikos* (inventive, clever), but Ephorus, an historian generally hostile to Sparta, called him *panourgos*.[46] Plutarch brands Lysander *panourgos* and a sophist for his trickery and deceit, just as Galen condemns Carthaginian use of poison as *panourgia*.[47] Diodorus (15.16.1), no doubt reflecting Roman propaganda, rebukes the Carthaginians for their customary *panourgia* in manipulating a truce for peace negotiations to regroup their own forces. In the Late Empire, Libanius (*Or.* 59.20) uses *panourgia, technasma*, and *mechanema* pejoratively in repeating Constantinian propaganda, which converted Maxentius' unsuccessful attempt at stratagem against Constantine at the battle of the Milvian Bridge in 312 into a means to villify him further. In contrast, Polybius' neutral use of *panourgotaton* bemoans that man as the most cunning creature permits himself to be the most easily duped by stratagem (5.75.1–6).

Panourgein and its cognates also have a connection with Sisyphus, the fabled trickster of mythology. Sisyphus, the shadowy king of Corinth and the alleged builder of Acrocorinth, is called the craftiest of men in the Iliad (6.153) and the post-Homeric tradition even claimed he fathered Odysseus. Autolycus could not match him in deception, not to mention his skill at outwitting Death.[48] According to Polyaenus (1 praef. 8) he was the first Greek to use deceit and trickery.

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[45] Basil, *Hom. in Prov.* 11, 39, *PG* 31, 409; *Suda* s.v. πανοῦργος.

[46] Xen., *Hell.* 3.1.8; Ephorus, *FGrH* 70 F 71. On Ephorus' anti-Spartan bias see G.L. Barber, *The Historian Ephorus* (Cambridge 1935) 88–101.

[47] Plut., *Lys.* 7.3 cf. Gryllus' rebuke of Odysseus in *Mor.* 987C; Galen, *De Theriaca* 5, XIV, 231K.

[48] In general see H.J. Rose, *A Handbook of Greek Mythology* (New York 1928) 81–82, 270–294; Sisyphus and Autolycus: Hyg., *Fab.* 201; Polyaenus 6.52; Suda s.v. Σίσυφος; Eust. *ad* Od. 19.396, 1070–71.

Both Xenophon and Ephorus attest that the Spartan general Dercylidas had the nickname Sisyphus, although (as already noted) the two historians place different colorings on the man: Xenophon's *mechanetikos* is positive, just as Aristophanes approved of Sisyphus' *mechanai*. But Ephorus, noting his tricky and un-Spartan character which made him least likely to be deceived by crafty barbarians, brands him *panourgos*, as does a scholiast on Aristophanes. Dercylidas' various stratagems amply justify his nickname.[49] The connection of Sisyphus and the *panourgein* group is even more direct in the definition of the rare verb Σισυφίζειν (to act like Sisyphus) by Phrynichus Arabicus, one of the strictest Atticists of the late second century: "to be a villain, to play tricks, and to do something with cunning."[50]

With the exception of Ephorus, a pejorative sense of *panourgos* and its cognates relating to Sisyphus is not clear. Sisyphus is not a negative figure in mythology, and the cause of his eternal stone rolling in Hades is obscure. Similarly, despite the assertion found in the *Suda* that Atticists used the *panourgein* group for slander, Phrynichus' definition of *sisyphizein* does not bear a negative tone, especially since the *panourgein* group as early as Polybius could be used neutrally and, as already shown, *dolos* and its variants were certainly neutral terms. In sum, the *panourgein* group comes to the stratagemic vocabulary from the Athenian stage, where it was thoroughly pejorative, and it could be used to rebuke stratagems and their perpetrators. By the time of Polybius, however, and in late antiquity the word's tone became more neutral. Therefore use of the *panourgein* group should not be automatically seen as negative in later authors, but rather its tone must be judged by its context. After all, *panourgia* against an enemy could be just (Plut., *Mor.* 91B–C).

2. *Occasional Words*

The second category of the Greek stratagemic vocabulary, those words only occasionally used for stratagem, may be treated more briefly, and since their use for ruse is only sporadic, their most frequent meanings may not seem related to stratagem at all. *Phronesis* (prudence), *logos* (word, reason), and *deinotes* (cleverness) form a group as synonyms for the wisdom and intelligence signified by *sophia*. According to Aristotle *phronesis* is the capacity for acting with true reason. His definition of *phronesis*

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[49] Xen., *Hell.* 3.1.8; Ephorus, *FGrH* 70 F 71; Ar., *Ach.* 391 and schol.; Breitenbach 31–32; Dercylidas' stratagems: Xen., *Hell.* 3.1.17–18, 2.18 (cf. Onas. 10.14); Polyaenus 2.6; Jul.Afric., *Cest.* 7.1.11 (attributed to Clearchus in Polyaenus 2.2.9).

[50] *Anecd.Bekk.* I, 64: Σισυφίζειν: πανουργεύεσθαι καὶ δολιεύεσθαι καὶ δολίως τι πράττειν.

differs literally from his view of *techne* only in the distinction between creating and doing. Basil's definition bears some similarity: *phronesis* is determination of what ought to be done and what ought not to be done. Essentially, then, *phronesis* is practical wisdom in matters which vary too much to permit exact calculation—a view which recalls the properties of *metis*.[51]

Phronesis could be associated with the prudence of rulers and the honorable conduct of nations,[52] but the Achilles ethos did not have a monopoly on the word. Wily and deceitful men like Odysseus enjoyed the benefits of *phronesis* as well as *panourgia* (Pl., *Hipp.Min.* 365–66a). In his interpretation of the debate between Achilles and Odysseus on how Troy should be captured, Eustathius contrasts Achilles' *andreia* (courage) with the *phronesis* and *dolos* of Odysseus, although other commentators on the passage prefer giving a rusé sense to *logos* (reason) or *synesis* (intelligence, sagacity).[53] Yet the connection of *phronesis* with the Odysseus ethos has a much firmer basis than a single reference in Eustathius: Dionysius identifies prudent generals (*phronimoi strategoi*) with the Odysseus ethos in his praise of T. Larcius Flavus, Rome's first dictator (501 or 498 B.C.), and *phronesis* is John Chrysostom's word to characterize the Odysseus ethos in a digression on the merits of this kind of generalship.[54] For Menander Rhetor, writing perhaps *ca* 300, a panegyrist should say that the emperor's *phronesis* permitted his recognition of enemy stratagems and kept his opponents ignorant of his actions (373 lines 20–25 cf. 375 lines 21–25 Russell/Wilson). *Phronesis* is a certain although infrequent synonym for stratagem.[55]

Similar to *phronesis* but not identical in Aristotle's view (*EN* 6.13.1) is *deinotes* (cleverness). Its adjective *deinos* has Homeric roots and varied senses: its original meaning as "fearful" or "terrible" later was supplemented by "mighty" or "powerful" and, like some other words of the stratagemic vocabulary, it could possess a magical connotation as "marvelous" or "strange," which by the fifth century B.C. was converted into "clever" or "skillful" (LSJ[9] s.v.). On the Athenian stage Odysseus

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51 Arist., *EN* 6.5.1–3, 7.7; Aubenque 65–66; Basil, *Hom. in Prov.* 6, 12, *PG* 31, 400. Cf. the Stoic definition: discovery of the proper: *SVF* III no. 264.

52 E.g., Arist., *Pol.* 1277a 12–20; Plb. 1.14.3.

53 Eust. *ad* Od. 8.73, 1586; Ath. 1.17e; schol. *ad* Od. 8.75.

54 Dion.Hal., *Ant.Rom.* 5.76.1; Joh.Chrys., *De sacerd.* 1.8, *PG* 48, 629–30.

55 Cf. Jos., *AJ* 12.195 and 12.193. Plato, *Menex.* 239d–e, attributes the conquests of Cyrus the Great to his *phronema* (usually, will or resolution). Stratagems played no small role in Cyrus' success and one wonders if *phronema*, like *phronesis* related to the verb *phroneo* (to be prudent, to think), might not also have, at least in this passage, a rusé nuance. Cyrus' stratagems: Hdt. 1.80, 191, 207.6–7, 211; Front., *Strat.* 1.11.19; 3.3.4, 8.3; Polyaenus 7.6.1–10; Xen., *Cyr.* passim. Similarly, Diodorus in describing a stratagem of Alexander the Great notes that he craftily foresaw the situation: ἐμφρόνως προϊδόμενος τὸ μέλλον: 17.85.7.

was *deinos* and *sophos* and Herodotus employs the same combination to characterize Greeks, although Egyptians were also known to be *deinos* in devising *mechanai*.[56] The noun *deinotes*, first attested in the fifth century B.C., only acquires its sense as "cleverness" or "shrewdness" (e.g., Dem. 18.144 regarding Philip II) in the fourth century B.C.

Like *sophia, techne*, and *phronesis, deinotes* is a mental faculty. Aristotle (*EN* 6.12.9–10) defines it as the "ability to do those things which strive for an intended goal and obtain it. If the goal is good, the ability is praiseworthy, and if it is bad, it is villainy. Therefore we say that both prudent (*phronimous*) and villainous (*panourgous*) men are clever (*deinous*)." Hence *deinotes* lies at the base of both prudent and villainous action and only the goal (not the act itself) determines whether it receives approval or reproach. The implications of *deinotes*' neutral tone for the ethics of stratagem and Aristotle's view in particular are not slight, but this topic must be pursued elsewhere.

The rare occurrences of *deinotes* and *deinos* to connote stratagem feature several brilliant commanders. Plutarch (*Sert.* 1.4) characterizes with *deinotes* the generalship of Philip II of Macedon, Antigonus Monophthalmus, Hannibal, and Sertorius and associates the word with success through *dolos*. Hannibal (Plut., *Fab.* 5.3) recognized the *deinotes* of Fabius Maximus in his policy of delay in 217 B.C., which compelled Hannibal in turn to resort to his own *sophismata*. When Constantius II's feigned retreat in 351 lured the usurper Magnentius to defeat at the battle of Mursa, Julian (*Or.* 2.57B) could laud his *deinotes* as the source of this stratagem. Finally, in Polybius' evaluation of the generalship of Aratus, he notes his failings as a field commander, but his ability to be most clever (*deinotatos*) in devising tricks (*praxeis*), deceits (*apatas*), and plots (*epiboulas*). Plutarch, apparently elaborating on this passage, writes in more philosophical terms: "there is a cleverness (*deinotes*) and an intelligence (*synesis*) of man, which is by nature easily thrown into confusion in open and declared battles, but which regains its excellence for secret and concealed enterprises."[57]

The last group of words to be considered here dealing specifically with the intellectual process of stratagem include *epinoein* (to think of, to contrive, to plan), *epinoia* (thought, invention, design), and *epinoema* (thought, contrivance). This group first appearing in the fifth century B.C. does not demand lengthy discussion. For our purposes it chiefly provides synonyms for *mechane* and its variants, as Hesychius' use of *epinoiai* to define

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[56] LSJ[9] s.v. *deinos* III; Hdt. 5.23.2; Aesch. fr. 373 Nauck. On the trickiness of Egyptians cf. Pl., *Leg.* 5.747b–c.

[57] Plb. 4.8.3, 5–6; Plut., *Arat.* 10.4.

mechanai indicates. One contrives (*epinoei*) a *dolos*, a *stratagema*, or even to steal (*klepsein*) a river crossing, and the two nouns could be equated with *strategema* or *techne*.[58]

If the stratagemic vocabulary could borrow words from the language of sophists and philosophers, such as *sophia, techne*, and *phronesis*, as well as *panourgia* from the theater, a term from the arena of sport would not be peculiar, especially since the language of war and sport often coincide.[59] Indeed Onasander compares the general besieging a city to a good wrestler, who by feints at many points must conceal his real point of attack.[60] *Palaisma*, originally a "fall" in a wrestling match, of which the "third fall" (*triton palaisma*), signifying the end of the bout, became a metaphor for the end of a series or some crowning achievement,[61] could also refer to the trick of a wrestler resulting in an opponent's fall and hence its metaphorical use as a legal trick of the courtroom, a rhetorical trick, or a tricky person.[62] Furthermore, *palaisma* could appear as stratagem, for which conceptual precedents in mythology, if not the word itself, can be found: the crafty Autolycus was such a champion at the sport that he taught Heracles to wrestle, and Odysseus' bag of tricks included the wiles of the ring.[63] Plutarch equates *strategema* and *palaisma*, when the Spartan king Agesilaus repeats a stratagem successfully. Similarly, Julian in listing Constantius II's brilliant acts of generalship against Magnentius hails his final feat of ingenuity as the "third fall" (*triton palaisma*).[64]

Many other words, such as *tolma* (boldness) or *epibole* (design, enterprise, assault), although appearing occasionally for stratagem or with a rusé connotation, do not merit discussion: their occurrence in this sense is too infrequent.[65] Of greater significance, however, are *pseudos* (lie) and its adjective *pseudes* (false). Certainly lying to the enemy or to one's own forces can be a stratagem (cf. Xen., *Mem.* 4.2.15–17), but Greeks much preferred to use *apate* rather than *pseudos*. In fact the two words, as noted earlier, are closely linked (cf. *Suda* s.v. ψεύσθεντα): *pseudos* is the objective aspect of the subjective process of *apate*, and if *apate*'s tone is neu-

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[58] *Epinoia*: Plb. 5.72.5; Jos., *BJ* 3.190, *AJ* 12.193 cf. 12.195; Arr., *Anab.* 5.10.5; *epinoia* = *stratagema*: Onas., praef. 9; Jos., *BJ* 3.192; *epinoema* = *strategema*: Plb. 1.57.5; Diod. 11.23.1; *epinoia* = *techne*: Zos. 5.21.2.

[59] E.g., Plb. 1.6.6, 57–59; Plut., *Sulla* 29.1.

[60] Onas. 42.6 cf. Ps.-Maur., *Strat.* 8.2.77 Dennis.

[61] LSJ^9 s.v. *palaisma* 1; Jul., *Or.* 1.40B, 2.74C.

[62] Ar., *Ran.* 689 cf. 878; Aeschin. 3.205; Ps.-Dion.Hal., *Rhet.* 8.12; Ath. 7.308b cf. 1.11b.

[63] Apollod., *Bibl.* 2.63; Il. 23.709, 725.

[64] Plut., *Ages.* 39.8 cf. 39.3–7, 9–10, *Mor.* 191C–D, 214F–15A; Diod. 15.93.1–5; Polyaenus 2.1.22; Jul., *Or.* 2.74C.

[65] *Tolma*: Plb. 1.57.5, 8.7.6 cf. Dion.Hal., *Ant.Rom.* 9.31.4, Jos., *AJ* 12.195 cf. 12.193; *epibole*: Plb. 3.93–94.6 cf. App., *Hann.* 15; Plb. 5.74.9–76.

tral, much the same applies to *pseudos* and *pseudes*. In archaic Greek thought the opposite of *pseudes* is not *alethes* (true) but *apseudes* (not false, without deceit), and the antonym of *aletheia* (truth) is *lethe* (forgetfulness). *Pseudos* falls into the same context of deceit and delusion as *dolos, metis,* and *apate,* none of which precisely corresponds to "lie." Its meaning is either "something which seeks to deceive" or "something without fulfillment or realization."[66] Thus Diodorus' description of a stratagem by Agathocles in 310 B.C. (20.17.5): "miscalculating by the deception of a stratagem" (τῷ ψεύδει τοῦ στρατηγήματος παραλογίσθεντες). Indeed one scholar argues that except for some individual forms, such as the verb *pseudein* in the aorist aspect of the middle voice, Greek has no clear expressions for "lie" or "to lie." *Pseudos, pseudes,* and verbal forms with *pseud-* indicate only that something false has been stated, done, or implied without regarding the intent for truth or falsehood.[67]

Furthermore, the *pseudos* group engendered a rich family of words for stratagem, best seen in an anecdote on the Athenian commander Iphicrates recorded by Polyaenus:

> Iphicrates would train his soldiers in various ways, contriving feigned reenforcements, feigned ambushes, false betrayals, sham desertions, feigned attacks, and false panics, so that if at any time something like that occurred, they might not in any way be surprised.[68]

Xenophon's *pseudangeliai* (false reports: *Mag.eq.* 5.8) and *pseudopyra* (deceiving campfires) found in the *Suda* (s.v.) supplement Polyaenus' list. For the moment judgement is reserved on whether these words should be considered technical terms, since apart from *pseudangelia* and its cognate *pseudangelos* (false messenger) they appear only in Xenophon, Polyaenus, Julius Pollux, the *Suda*, and other Byzantine sources. This problem will be addressed below. Conceivably, the list of "pseudo-words" found in the *Suda* could reflect a rhetorical handbook or lexicon called "On the False" (Περὶ ψεύδους), although by no means are all such words military.[69]

Knowledge of these terms is slight. Xenophon (*Mag.eq.* 5.8–9) instructs

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66 Untersteiner in n. 31 *supra*; Marcel Detienne, *Les maîtres de vérité dans la Grèce archaïque* (Paris 1967) 22–27, 30 n. 6. *Contra*, Carcaterra 235.

67 See Rudolf Schottlaender, "Die Lüge in der Ethik der griechisch-römischen Philosophie," in Otto Lipmann / Paul Plaut, ed., *Die Lüge in psychologischer, philosophischer, juristischer, pädagogischer, historischer, soziologischer, sprach- und literaturwissenschaftlicher und entwicklungsgeschichtlicher Betrachtung* (Leipzig 1927) 99, 110.

68 Polyaenus 3.9.32: 'Ιφικράτης ποικίλως ἐγύμναζε τοὺς στρατιώτας μηχανώμενος ψευδοβοηθείας, ψευδενέδρας, ψευδοπροδοσίας, ψευδαυτομολίας, ψευδεφόδους, ψευδοπανικὰ, ἵνα εἴ ποτε καὶ τοιοῦτόν τι γένοιτο, μηδαμῶς ἐκπλήσσοιντο.

69 Breitenbach 78 n. 122.

his cavalry commander to terrify the enemy with feigned ambushes, feigned reenforcements, and false reports, all of which he views as forms of *apate*. His *Anabasis* provides an example of *pseudenedra*: the rearguard of a foraging party from Xenophon's Greek forces at Trapezus pretends very ostentatiously to set an ambush against hostile Pontic tribesmen harassing the party's retreat, thereby permitting the bulk of the group to negotiate the difficult descent from the mountains into the city.[70] The word *pseudoboethia*, found only in Xenophon and Polyaenus, probably refers to the stratagem often found in Roman sources, whereby a commander arranges for a detachment of soldiers or non-combatants to appear in the enemy's rear before or during battle and to sound trumpets or to stir up a dust cloud to create the impression of approaching reenforcements. *Pseudephodos* may be similar: feigning an attack at one point and striking at another.[71]

In contrast, *pseudangelia* has Homeric roots through *pseudangelos*: Zeus in the Iliad tells the messenger-god Iris not to be a *pseudangelos*. From Homer the word passed to Athenian comedy of the fifth century B.C., and Aristotle cites a play of unknown author and date entitled *Odysseus the False Messenger*.[72] The function of a *pseudangelos* or *pseudangelia*, which first appears in Xenophon, is basically identical to that of *pseudoprodosia* or *pseudautomolia*: dissemination of false information or luring the enemy into a trap or false move. The Parthians made certain that Antony's army retreating from Media in 36 B.C. received only false reports (*pseudangeliai*) about areas where food and water were available, while Hannibal employed a false traitor (*pseudoprodotes*) to lure the Romans into an ambush at Herdonia in 212 B.C. (or 210 B.C.) and he contrived the sham desertion (*pseudautomolia*) of 500 Numidians at Cannae in 216 B.C. to attack the Roman rear after the battle began.[73] For *pseudopanika* Polyaenus

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70 Xen., *Anab.* 5.2.28; Poll., *Onom.* 1.173; *Suda* s.v. ψευδενέδρα, citing Xenophon.

71 Xen., *Mag.eq.* 5.8; Polyaenus 3.9.32; Front., *Strat.* 2.4.1–3, 5–6, 20; 3.9.3, 5–6, 10; Liv. 7.14.6–15.8; Onas. 22.2.

72 Il. 15.159; Ar., *Av.* 1340; Arist., *Poet.* 16.10 cf. Plut., *Mor.* 987C.

73 *Pseudangelia*: Xen., *Mag.eq.* 5.8; Dio 49.28.4; *pseudoprodosia/pseudoprodotes*: Polyaenus: 3.9.32, 6.38.7; *Excerpta Polyaeni* 41 (chapter title); *pseudautomolia/pseudautomolos*: Polyaenus 3.9.32; Xen., *Mag.eq.* 4.7; Poll., *Onom.* 1.173; Cannae: App., *Hann.* 22, 26 cf. Liv. 22.48.1–4; Val.Max., 7.4 ex. 2; Front., *Strat.* 2.5.27; other cases of *pseudautomolia* in Front., *Strat.* 3.16.2 cf. 2.5.28 and the list in Brizzi 252 n. 381. Polyaenus 6.38.7 on the Roman defeat at Herdonea is a conflation of two different battles. The town went over to the Carthaginians after Cannae and in 212 B.C. Hannibal lured the praetor Cn. Fulvius Flaccus into an ambush there, but Flaccus was not killed as Polyaenus says. In 210 B.C. the town's Carthaginian sympathies wavered, which accounts for the story of a false betrayer in Polyaenus. Hannibal launched a surprise attack (not an ambush) on the proconsul Cn. Fulvius Centumalus, who died in the battle. Thus Polyaenus' Flaccus and Hannibal's ambush belong to the battle of 212 B.C. and the false betrayal and death of the Roman commander occur in the conflict of 210 B.C. See Liv. 25.20–21, 27.1.4–15.

(3.9.10) offers an example. Iphicrates perpetrated a false panic to distinguish the brave from the cowardly and thereby to facilitate his selection of officers. Another kind of false panic is also conceivable: a feigned retreat simulating the flight of a demoralized army to entice the enemy into an unfavorable situation.

Likewise *pseudopyra*, not found in Classical sources, presents a problem. The author of the *Suda* identifies "deceiving campfires" as a *strategema*: they are kindled by night for the perplexity of the enemy, but this definition's vagueness leaves the stratagem's intent and function obscure. Lighting campfires to convince the enemy of their opponent's presence and then retreating during the night was a favorite stratagem of ancient commanders. This may be what is meant. The latest explanation of *pseudopyra*, however, found in a collection of Greek proverbs by Michael Apostolius (d. *ca* 1480), puts the stratagemic purpose in a different light: the fires are to perplex the enemy by showing the great size of the camp, i.e., another example of how to make a smaller army appear larger. The vagueness of the *Suda*'s definition permits either interpretation.[74]

3. Hellenistic Additions

The stratagemic vocabulary has its origins in Homeric Greek and the epic tradition, and supplements or new rusé connotations for old words were added in the fifth and fourth centuries B.C. from the sophistic movement, the theater, and sport. Yet so much of the evidence derives from Hellenistic writers such as Polybius, Dionysius of Halicarnassus, Plutarch, and others. Certainly the older words remained in use in the Hellenistic period as they would in the Byzantine, but our third category seeks to highlight a few specifically Hellenistic contributions.

Praxis, normally "business," "affair," or "action," begins to assume a rusé sense in the fourth century B.C.: Aeneas Tacticus (23.7–10) associates it with *technazein* in describing a treasonous deception of city magistrates. By the time of Polybius, two centuries later, *praxis* and even its cognate verb *prattein* (to do, to achieve, to transact) become such regular words for trick and treachery, that in the *Suda praxis* can be defined as *prodosia* (treason, treachery, betrayal).[75] In fact *praxis* as stratagem tends to appear in situations involving the betrayal of cities.

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[74] *Suda* s.v. ψευδόπυρα; Macar. 8.86; Apost. 18.53. A collection of references to stratagems involving campfires in Peters 163, to which should be added Polyaenus 2.28.2; 6.2.1, 19.2 on signal fires.

[75] Plb. 2.9.2; 4.8.3, 71.6; 9.18.1; 16.24.7; *Suda* s.v. πρᾶξις, citing Plb. fr. 70 Buettner-Wobst and 5.96.4–5; Welles 355.

Praxis, in turn, fathered the verb *praxikopein* (to take by treachery or surprise), which is used almost exclusively for the capture of cities. Among Classical literary sources the word appears with one possible exception solely in Polybius, although this gives a false impression of its frequency: its broader occurrence is attested by inscriptions of the second century B.C., by the survival of its cognate πραξικόπημα (*coup d'état*) in modern Greek, and by the historian Theopompus, if Polybius' citation is in any way literal.[76] Specific definitions are found in the *Suda*: "planning in conjunction with a plot" (*epiboule*: a word often connoting treason), "devising a trick" (*dolieusamenos*), and "bribery" (*dorodoketheis*). The *Suda*'s association of *praxikopein* with *dolos* is confirmed by Polybius (8.9.3), who provides all the examples cited, but none of the *Suda*'s Polybian examples nor use of the word elsewhere in Polybius will prove that *praxikopein* involves bribery.[77]

A final Hellenistic example is the group of *methodeuein* (to practice by method, to deal with, to employ craft) and *methodos* (investigation, method, means, trick). This group is included chiefly to demonstrate one instance of words having a thoroughly rusé sense but whose use for stratagem is extremely rare. *Methodeuein* as "to employ craft" appears in the *Septuagint*, Polybius, and even Justinian's *Novellae* as a legal term for "to defraud," but it is never used for stratagem. Similarly, *methodos*, found in various sources as "trick" or "ruse," occurs in a military context as stratagem only very infrequently and obscurely: the stratagems of Antiochus V's forces against Jewish strongholds in 163 B.C. are not explained in *Second Maccabees*, and Dionysius I's trick for countering plots against himself by pretending to be able to foresee the future only marginally qualifies as a stratagem.[78]

4. *Specific Stratagems*

Since languages are constantly in a state of evolution and development, it is not peculiar that new words and new meanings for old words should continue to be added to the stratagemic vocabulary. Nevertheless, ancient writers seem to have preferred to describe and to denote stratagems with the words of the first category (*sophia, techne*, etc.), all but one of

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[76] Plb. 1.18.9, 55.6; 2.46.2, 57.2; 3.69.1; 8.9.3 (= Theopompus, *FGrH* 115 F 27); 9.17.1; 21.32b; fr. 153 Buettner-Wobst; *OGIS* 315 (Welles no. 55); *SEG* IV 671; Welles 356.

[77] *Suda* s.v. πραξικοπήσας, citing Plb. 1.18.9 (cf. Diod. 23.8.1), 21.32b (cf. Liv. 38. 29.10), 8.9.3.

[78] LSJ[9] s.v. *methodeuo* 3, *methodos* III; *methodos* = *stratagem*: 2 *Macc.* 13.18; Plut., *Mor.* 176A cf. Polyaenus 5.2.3 (*sophisma*); Ps.-Maur., *Strat.* 11.4.29–31 Dennis.

which have Homeric roots and all of which appear in characterizations of Odysseus. But if all Greek words for trickery and deceit are not used for stratagem and the stratagemic vocabulary forms a subset of this general pool, terms denoting specific stratagems, the fourth category, should now be examined to see to what extent Greek synonyms for stratagem constitute a technical vocabulary, i.e., terms used by specialists and not necessary common to the language of literature for a general audience.

The eight words discussed earlier using *pseud-* as a prefix present a strong case that a technical stratagemic vocabulary existed. All eight offer economic expression of significant concepts in the field of stratagem and their infrequency in general texts may indicate not that the words were rare, but that they were judged unsuitable stylistically for polished rhetoric and for audiences of non-specialists. Breitenbach's conjecture that such "*pseudo*-words" belong to a genre of works entitled *Peri pseudous* may indeed explain the list in the *Suda*, but even an "Ignotus" who might have authored such a work surely did not invent all the terms: *pseudangelos*, in fact, goes back to Homer.[79] Moreover, the gap in appearance of these words between Xenophon and Polyaenus, who in a sense represent the beginning and the end of stratagems in Classical Greek military theory, could indicate the flourishing of these words in the genre of collections of stratagems. It seems unlikely that the Byzantine epitomer of Polyaenus would select *pseudoprodotes* as a chapter title based exclusively on its single appearance in Polyaenus.[80]

Yet perhaps more conclusive than the "*pseudo*-words" is the case of *praxikopeo*, a word limited in Classical literary sources to Polybius, but whose broader use is attested by inscriptions. The word smacks with the flavor of Hellenistic military realities and like the "*pseudo*-words" it offers an economic expression for a complex idea. Surely this apparently rare word (to judge by literary sources) would not have survived to give modern Greek its standard term for *coup d'état*, if it had not been of some significance.[81]

As a technical term, *antiperistasis* (normally, alternation, interchange, mutual opposition) should also be noted. The anonymous *De re strategica* (6.4) of the Justinianic period appears to place a technical sense on the word used with three distinct meanings: first, countering an enemy invasion by arousing neighboring nations against the enemy; second, invading the enemy's territory to compel his withdrawal from yours; and third, circulating false reports that the enemy's territory has been invad-

[79] See nn. 69, 72 *supra*.
[80] *Exc.Polyaen.* 41; Polyaenus 6.38.7.
[81] See n. 76 *supra*.

ed. It seems, therefore, that a technical Greek vocabulary for stratagem not only existed, but enjoyed a much more extensive use than extant literary works indicate. Of this technical vocabulary, unfortunately, the sources provide only a glimpse.

Words for specific stratagems may be divided into five groups: surprise attack, ambush, feigned retreat, treason, and breaking or circumvention of agreements. These five groups represent only organizational constructs for this immediate discussion of vocabulary and are not intended as a general system of classification for ancient stratagems.

Greek has several means to say "surprise attack." *Klope*, as noted earlier, denotes surprise attack, especially a surprise by night, and should be distinguished from *epidrome*, a surprise attack in the sense of a raid or sudden inroad. In contrast, no rusé sense is attached to *nyktomachein* (to fight by night) or to *nyktomachia* (a battle by night). Occasionally *prokatalambanein* (literally, to seize in advance) may also be used as "to surprise" and "to take by surprise," but none of these words can be called technical.[82] More often Greeks would simply say that an attack occurred suddenly (ἐξαπίναινως) or that an attack was unexpected (ἀπροσδόκητος or ἀδόκητος). Not until the Byzantine period, however, would Greek develop true generic terms for surprise attack—the verb αἰφνιδιάζω and its cognate nouns αἰφνιδίασμα and αἰφνιδιασμός, which generally refer to attacks on a field army.[83]

Ambush, one of the most common stratagems, has a clear mode of expression: *lochos* and its variants appear in Homer and remained the chief word group for this act until Thucydides, who replaced it with *enedra*, which thereafter with its variants became the dominant, although not the exclusive term. Pollux's list of synonyms for ambush are mainly forms of *lochos* or *enedra* or periphrastic expressions.[84] The frequency of these terms precludes any argument that they might be technical. Feigned retreat, however, another very common stratagem and only very rarely expressed by a single word, did not elicit a standard technical term. Aeneas Tacticus uses *hypopheuzein* (to withdraw) in this sense and Plutarch

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[82] *Klope*: nn. 41–42 *supra*; *epidrome*: Hdt. 1.6.3; Dion.Hal., *Ant.Rom.* 2.3.2; Jos., *BJ* 3.76; Procop., *Bell.* 3.16.3; *nyktomachein/nyktomachia*: Plut., *Cam.* 36.6; App., *BC* 5.35; Hdt. 1.74.1; Thuc. 7.44.1; *prokatalambanein*: Thuc. 3.3.1; Plb. 2.18.6 cf. Poll., *Onom.* 1.172; Arr., *Ind.* 37.8 (*katalambanein*); Dio 71.3.1 (*prolabein*).

[83] Pritchett, *GSAW* II, 156 cf. Saïd/Trédé, *C&M* (1985) 67–69; *aiphnidiazein*: Ps.-Maur., *Strat.* 7.A.3, 14, B.11.16; 9.5.48; 11.4.110; 12.B.20.27; *aiphnidiasma*: Ps.-Maur., *Strat.* 2.1.12; 11.2.22, 4.29–31 (coupled with *klopai*); 12.B.29 (night attack); *aiphnidiasmos*: 3.5.57; 7.12; 9.1.12, 3.59; 11.2.39. *Aiphnidiasmos* survives in modern Greek as "surprise attack." The earliest attestation of the group, however, is *aiphnidiazein* in the patristic writer Marcus Diaconus (d. after 420), *Vit. Porph.Gaz.* 41.

[84] Pritchett, *GSAW* II, 178; Poll., *Onom.* 1.173.

equates *stratagema* with *prospoiete phyge* (pretended flight).[85] Usually the idea of feigned retreat develops from the sequence of events in a narrative rather than from a specific term. *Phygomachein* (to avoid battle) occasionally appears as feigned retreat, but has various nuances which belong to both the Achilles and the Odysseus ethos. Its original meaning, avoiding battle, denoted cowardice. Yet Polybius and Plutarch, who equate it with *strategema*, characterize Fabius Maximus' strategy of delay and attrition against Hannibal as *phygomachein*. On other occasions the term is neutral in tone.[86]

In the final two groups, specific terms for treason and for breaking or circumvention of agreements, stratagem and political ruse greatly overlap. The treason group includes *prodosia* (treason, treachery, betrayal), *epiboule* (plot, treachery), *praxikopein* (to take by treachery), and *dorodokia* (bribery). Greek notions of *prodosia* involve both deliberate betrayal through disloyalty and either failure through inadequate energy and enthusiasm or merely a general's failure to carry out the orders of his city. Even neutrality could be seen as treason or betrayal in highly emotional conflicts such as the Persian Wars of the early fifth century B.C.[87] Yet consideration of treason as a stratagem is somewhat ambiguous, since it depends to some degree from whose initiative the betrayal occurs: if a commander induces the act, the stratagem falls to his credit, but otherwise he takes advantage of an opportunity which he did not create. *Praxikopein*, the only technical term in this group, emphasizes the commander's initiative in treason. *Epiboule, dorodokia*, and their cognates require little comment, since they are associated predominately with political rather than military ruses. In particular, the word *dorodokia* is almost exclusively political, and, as shown earlier, the *Suda*'s equation of bribery with *praxikopein* cannot be substantiated.[88] On the other hand, the same is not true for the concept of bribery: a tradition (Paus. 4.17.2–3) asserted that the Spartans initiated the use of bribery in warfare during the Messenian wars of the eighth and seventh centuries B.C.

Breaking or circumventing agreements such as truces or treaties in-

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85 Aen.Tact. 23.10 cf. Onas. 11.3; Plut., *Mor.* 309D–E.

86 *Phygomachia* = feigned retreat: Ps.-Maur., *Strat.* 4.3.32 cf. 7.B.11.16, Onas. 11.3; = cowardice: Simonides in Stob., *Anth.* 5.51.7 Hense; Diod. 17.27.2; Plut., *Lyc.* 16.9; Fabian strategy: Plb. 3.90.10, 91.10, 107.6; Plut., *Marc.* 24.1; neutral: Plb. 10.7.7, 11.16.5; Diod. 19.42.7; Onas. 31.1.

87 Thuc. 6.103.4; Hdt. 8.73.3; Dover 159–60 and *HCT* IV, 375; Pritchett, *GSAW* II, 4–33, esp. 27–29; Giuseppe Nenci, "La neutralità nella Grecia antica," in S. Cataldi et al., *Studi sui rapporti interstatali nel mondo antico* (Pisa 1981) 147–51. Also see Luis A. Losada, *The Fifth Column in the Peloponnesian War* (Mnemosyne Suppl. 21: Leiden 1972).

88 On bribery as a conventional charge against generals see Pritchett, *GSAW* II, 27–28, 127.

volves treachery of a different sort—deception of good faith rather than disloyalty to a political unit. Both *apate* and *pseudos* could express perfidy, but to break an agreement or to act contrary to its provisions specifically meant *apistia* (faithlessness, treachery), *paraspondein* or their cognates. Perjury (*epiorkia*), i.e., intentionally swearing something false, is still a different matter, which provoked debates among the Peripatetics and Stoics about its precise definition.[89] Of course perfidy and stratagem have much in common, as already seen in Valerius Maximus' definitions.

Circumvention of an agreement, however, is neither to break the pact nor to commit perjury. It involves merely bending the provisions through overly literal or unusual interpretation of the words. For Greeks this kind of circumvention was called a sophistic oath (ὅρκος σοφιστικός or ὅρκος σοφισματώδης), since oaths both validated and guaranteed agreements. In modern international law the term for this phenomenon is "interpretation" and I shall call this type of stratagem "sophistic interpretation." Camerer's definition of a "sophistic trick" is very similar: the capability to dupe or intimidate a partner through an agreement in which some inconspicuous or insignificant circumstance is later used against him. Anti-deceit clauses in treaties were intended to prohibit circumvention by sophistic interpretation.[90] The term *horkos sophistikos* (or *sophismatodes*), found only in Eustathius, is probably a technical expression, since the more general words *sophisma* and *sophizesthai* could be used to designate this act, which Polybius equated with *strategema*. The trickery of Autolycus, Sisyphus, and Odysseus included sophistic oaths.[91]

This discussion has shown that the Greek stratagemic vocabulary drew upon a variety of different sources. A technical vocabulary seems to have existed, although examples of it rarely occur in literary texts and even some key stratagems lacked specific terms for their expression. In general, however, Greeks preferred to call a stratagem not *strategema*, but a trick, device, skill, wisdom, deceit, or cleverness, perhaps reflecting the epic tradition's descriptions of Odysseus upon whom the ethos of stratagem was based. *Metis* provides the idea incorporating these words into a unified vocabulary and a mentality. To conclude this discussion of the Greek stratagemic vocabulary, one important aspect of *metis* still awaits consideration: ἀγχίνοια (quickness of mind), which military thinkers of

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89 *Apistia*: Xen., *Anab.* 2.5.21; App., *Hisp.* 60; *paraspondein*: Plb. 1.7.8, 2.58.4. On perjury see Hirzel 75–79; Plescia 83–85.

90 Camerer 67; on anti-deceit clauses see n. 30 *supra*. Sophistic interpretations were proverbial for the Carthaginians: *Suda* s.v. Φοινικῶν συνθῆκαι = Demon, *FGrH* 327 F 13.

91 Eust. *ad* Od. 19.396, 1870–71; schol. *ad* Od. 19.396 cf. Ael., *VH* 12.8, Polyaenus 6.53, Plb. 6.58.12, Paus. 10.30.2; sophistic oath = *strategema*: Diod. 30.18.1–2 cf. Plb. 28.18 with Walbank, *HCP* III, 352.

the eighteenth and early nineteenth century would have called *coup d'oeil*. *Anchinoia* is the ability to analyze a situation instantly and immediately to resolve on a course of action. Aristotle believed this kind of intelligence operates too quickly to be observed and Diodorus credited it with a key role in the discovery of basic human arts and crafts.[92] Xenophon and Onasander both assert that a general must have this quickness of mind, which for Onasander permits a commander's "instant analysis" of topography for the best stationing of his engines against a besieged city's walls. In Aeneas Tacticus defense of a city requires that gatekeepers as well as generals be *anchinous*.[93]

Although a scholiast attributes military instruction about *anchinoia* to Homer, the real emphasis on this mental skill in military affairs begins with Thucydides. In his encomium of Themistocles, Thucydides repeatedly notes his "instant analysis," foresight, and ability to improvise, and according to a later tradition Themistocles once advised Aristides that the greatest virtue of a general was to know and to perceive in advance the plans of the enemy.[94] Similarly, Cassius Dio models his evaluations of Hannibal and of Septimius Severus on Thucydides, when he praises their foresight and skill at extemporization.[95] Polybius, however, also an imitator of Thucydides, most fully develops the idea: *anchinoia* consists of *pronoia* (foresight) and *logismos* (calculation), of which *pronoia* is the most important intellectual faculty and prevents errors of calculation. The successful generals in Polybius, Hannibal, Scipio Africanus, and Philopoemen all possess *pronoia, logismos*, and *anchinoia* to a high degree.[96].

Several other commanders are also specifically characterized by *anchinoia*. Diodorus (32.4.1) claims Philip II took over a Macedonia enslaved to the Illyrians, but reestablished his kingdom through arms and *anchinoia* in generalship. Polybius, however, puts a different nuance on Philip's *anchinoia*: Philip's generosity and magnanimity to the Athenians after he defeated them at Chaeronea in 338 B.C. produced Athens' willing sup-

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92 Arist., *An.Post.* 1.34 cf. *EN* 6.9.2–3; Pl., *Chrm.* 160a, *Def.plat.* 412e, *Epin.* 976b–c; Detienne/Vernant 308; Diod. 2.38.2, 1.8.9. Cf. n. 24 *supra* for the similar role of *mechanemata* in human discoveries.

93 Xen., *Mem.* 3.1.6; Onas. 1.7, 42.4; Aen.Tact. 5.1, 11.10, 24.10–11.

94 Schol. *ad* Il. 21.331, where *anchinoia* is periphrastically expressed as συνορᾶν ταχέως δύνασθαι (to be able to see quickly); Thuc. 1.138.3; Plut., *Arist.* 24.4. The word *anchinoia* does not occur in Thuc. 1.138.3, but the idea is clear.

95 Dio 13 fr. 54.1–3 (Hannibal), 73.15.1 = Exc.Val. 333, where Severus is also characterized as *deinotes*.

96 Pédech 210–11, 218–20. On *pronoia* see Hercod 97–98, 166; for *anchinoia* see Mauersberger I, 7, to be supplemented by Pédech 211 n. 37. Xenophon earlier had made much of *pronoia*'s importance: J. Joel Farber, "The *Cyropaedia* and Hellenistic Kingship," *AJP* 100 (1979) 506–507. Cf. A.W. Lawrence, ed., T.E. Lawrence, *Oriental Assembly* (London 1939) 115: "the greatest commander is he whose intuitions most nearly happen."

port for Philip. Through *anchinoia* he accomplished with small expense the greatest result—a variant of the motif of the Odysseus ethos.[97] Heraclides of Mylasa, said to excel his contemporaries in *anchinoia*, destroyed a Persian army by ambush in 497 B.C. during the Ionian Revolt, and devised new naval tactics for the Greeks at the battle of Artemisium.[98] Procopius, another imitator of Thucydides, praises Belisarius for his outstanding *anchinoia*: he was most capable to formulate the best plans in desperate situations, both courageous with a concern for security in battles and most daring in calculation, quick or slow to attack according to necessity (*Bell.* 7.1.13-14).

Anchinoia lies at the very base of the psyche of the rusé general and provides the spark from which *sophia, techne, mechanema*, or *dolos* can originate. Although Xenophon does not explicitly use the word when he declares that a general must be an inventor of stratagems (*mechanemata*), *anchinoia* stands implicitly in his thought, just as the Homeric scholiast associates *anchinoia* with *eumechanos*.[99] Frontinus echoes Xenophon's belief in the *Strategemata*: his work provides examples of planning (*consilium*) and foresight (*providentia*), which will nurture a similar inventive capacity in other generals. Indeed Frontinus has simply Latinized Polybius' *logismos* and *pronoia*.[100] Dionysius and Onasander clearly recognize *anchinoia* as the source of stratagems.[101]

Anchinoia's calculation and foresight, however, must reckon with the imponderable, the unexpected, in other words, chance. Timing (καιρός/ *occasio*) is of the utmost importance in order to seize the proper moment for action. Once again it is no doubt *anchinoia* which Xenophon implies (*Mag.eq.* 9.1), when he says a general must hit on the right thing to do at the right time, to examine a situation and to work out an expedient. Often this decision must be made in a split second. No less a commander than L. Cornelius Sulla, who liked to boast about his good luck, wrote in his *Memoirs* that the best results come from deeds executed according to the situation rather than from a plan. Onasander and Polyaenus likewise stress the advantage of an expedient or stratagem devised at the very mo-

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97 Plb. 5.10.3-5 cf. 18.12.3-4 on how *anchinous* Titus Flamininus was in 198 B.C.

98 Hdt. 5.121; Sosylus, *FGrH* 176 F 1. It is not certain that Sosylus' Artemisium refers to the battle off Euboea in 480 B.C. or to a battle near Artemisium of Caria. Cf. Strabo 14.2.2. For the problem see J. Taillardat, "Le trière athénienne et la guerre sur mer aux V^e^ et IV^e^ siècles," in Jean-Pierre Vernant, ed., *Problèmes de lá guerre en Grèce ancienne* (Civilisations et Sociétes 11: Paris 1968) 203-204 with n. 119.

99 Xen., *Cyr.* 1.6.38; schol. *ad* Il. 21.331. Cf. n. 94 *supra*.

100 Front., *Strat.* 1 praef. 1 cf. Polyaenus 1 praef. 3, 5 praef., 7 praef.

101 Dion.Hal., *Ant.Rom.* 3.55.4; Onas., praef. 9-10.

ment of battle.[102] But *anchinoia* is not to be found in every commander. Julius Ceasar upbraided his legate Q. Titurius Sabinus, surprised by a Gallic ambush in 54 B.C.: he had lacked foresight and vainly sought an expedient recourse in the heat of battle.[103]

The examples of Sulla and Titurius suggest that Romans shared some ideas about stratagems with the Greeks, and the number of Roman citations given from Greek authors demonstrates quite amply that Roman stratagems could be described and understood in Greek terms. It is time, however, to consider the Latin stratagemic vocabulary and to look at things from a Roman perspective.

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102 Plut., *Sulla* 6.5 = Sulla, *Hypom.* fr. 8, *HRR* I² 198; Onas. 32.9–10; Polyaenus 1 praef. 3.

103 Caes., *BG* 5.33.1: *Tum demum Titurius, ut qui nihil ante providisset, trepidare et concursare cohortesque disponere, haec tamen ipsa timide atque ut eum omnia deficere viderentur; quod plerumque iis accidere consuevit qui in ipso negotio consilium capere coguntur.* Cf. Plb. 3.69.12–13. A concept very similar to *anchinoia* governed the mental processes of the ideal general in ancient Chinese thought: see Rand 63–89.

CHAPTER THREE

THE LATIN VOCABULARY OF STRATAGEM

The Latin language may possess a smaller number of words than Greek and the corpus of Latin literature likewise may not assume the proportions of the Greek, but the Latin vocabulary of stratagem is not inferior in size. In Latin *consilium* (plan), *dolus* (trick), *fraus* (deceit), and *insidiae* (trick, ambush) carry the overwhelming burden of expressing the concept of stratagem, just as *sophia, techne, mechane, dolos*, and *apate* do in Greek. Of course, as already noted, *strategema* does not appear in Latin until Cicero and except for Frontinus it does not occur in Latin military texts at all. Vegetius, composing his compendium of Roman military thought in the late fourth century, does not use the term, although the concept of stratagem is quite familiar to him. On the other hand, Latin has no lack of words used occasionally (some no more than rarely) for stratagem, which actually make up the bulk of this vocabulary.

From the beginning any assumptions should be dispelled that Romans borrowed all their ideas about stratagem from the Greeks or that the Latin vocabulary has a strong Hellenic flavor. Only a very minute number of these Latin words are cognates of major words in the Greek stratagemic vocabulary; some can be cited as Latin equivalents of Greek terms, but the majority are simply good Latin words denoting trickery or cunning—traits by no means a Greek monopoly. Even in those cases of Latin equivalents for Greek words, the same ideas/words do not always carry the same significance in the Latin vocabulary as in the Greek.

Furthermore, the Greeks did not have an extensive technical legal vocabulary—the result of their employment of popular assemblies as both legislative and judicial organs. A sharp line of demarcation did not divide the judicial and moral spheres, as seen in the verb *adikein*, meaning both to do wrong morally and to do wrong legally.[1] Yet although the Romans developed a highly technical legal science, judicial terms for trickery and fraud do not dominate the Latin stratagemic vocabulary: except for *dolus* and *fraus*, most occur very seldom and some not at all.[2] In contrast, traces of a technical Greek military vocabulary for stratagem have been demonstrated, whereas nothing comparable emerges from La-

[1] Ténékidès 480, 487–88; Gernet xiv–xv.

[2] A list of legal terms for trickery found in Justinian's *Digest* in Carcaterra 38 n. 22 cf. 34–35.

tin texts—not even from Frontinus. Either too few Roman theorists have survived, or Romans felt no compulsion to invent jargon.

Perhaps the chief difference between the Greek and Latin vocabularies, however, lies in the greater unity of the Greek terms, many of which are conceptually interrelated: sometimes as individual pairs (e.g., *techne* and *mechane, apate* and *pseudos*) and generally as species of the genus *metis*. The Latin vocabulary does not form a similar system: the words appear rather as individual concepts. This may result from the lack of purely Roman thinkers (as opposed to Romans trained in Greek philosophy), who concerned themselves with the epistemological nuances of the words and interpretations of human mental faculties.

Besides, the Greek vocabulary had another unifying element in the epic tradition's descriptions of Odysseus. The Roman Ulysses had little effect on the Latin vocabulary of stratagem, which seems largely independent of Roman versions of Homer, and the *pius Aeneas* belonged more to the image of the Achilles ethos repeatedly portrayed in Roman propaganda. Of course the contrast of the Achilles and the Odysseus ethos must have appeared in Latin versions of Greek plays, such as the *Armorum iudicium*, in which Ajax and Ulysses competed for the arms of the dead Achilles. Pacuvius and Accius both wrote plays with this title, but the fragments offer no clues for this problem. Indeed the earliest complete narratives of Roman national heroes and the major figures of their mythology come from Augustan authors, such as Livy, Vergil, and Ovid, who may occasionally reflect nationalistic propaganda and who write too late to aid in development of a vocabulary which was chiefly formed in the Republican era. Certainly Romulus, Rome's founder, was shrewd and cunning in Livy's account (appropriately so in my view of Roman attitudes to stratagems), but again complete sources for Romulus are largely Augustan at the earliest. Any traceable influence of Romulus' legends on creation of a Latin vocabulary for trickery is long lost.[3]

As with the Greek vocabulary, the moral tone of the Latin terms must be observed, especially since Brizzi has raised this as an issue. Brizzi wishes to paint a black and white picture of crafty Greeks who had no qualms about trickery versus honest morally forthright Romans who disdained all chicanery before Hannibal taught them about stratagems in the Second Punic War. Allegedly neither Roman culture nor the Latin language was equipped to deal with a positive concept for trickery like the

[3] Pacuvius, trag.fr. 29–48 Warmington; Accius, trag.fr. 96–130 Warmington; M. Rambaud, "L'idéal romain dans les livres I et V de Tite-Live," *Mélanges offerts à Léopold Sédar Senghor* (Dakar 1977) 401–16 cf. J. Poucet, "L'amplification narrative dans l'évolution de la geste de Romulus," *ACD* 17–18 (1981–82) 175–87.

Greek *strategema*, and Latin supposedly possessed no equivalents for this word: *fraus*, which Brizzi prefers to identify with *strategema*, was negative in tone, just as other conceptually related words such as *dolus, calliditas*, and *perfidia*.[4]

Brizzi's views are naive. History must be distinguished from propaganda: Romans did indeed use stratagems long before Hannibal set foot in Italy.[5] Moreover, apparently unaware of Carcaterra's book, Brizzi offers no indication of having studied the Greek or Latin stratagemic vocabulary. He gives the impression that *strategema* was a popular Greek word, when in fact it was not, and it only began to assume its principal meaning as "military trickery" about the time of the Second Punic War, the starting point of Brizzi's book. Thus the word *strategema*, rather than an established Greek term, was itself in the flux of development when Romans were allegedly first exposed to it. Certainly *fraus* can denote stratagem, but Brizzi's preference for equating *fraus* with *strategema* has no basis in a Latin text. Yet if his equation of the two words is taken as conceptual rather than literal, his choice of *fraus* rather than *dolus* or *insidiae* is not explained. Above all, Brizzi's assertions that Latin had no words to express the idea of stratagem and that those which were used possessed negative connotations must be closely scrutinized. This presentation of the Latin terms for stratagem will disprove the first assertion, and subsequent discussion of the moral tone of both the Greek and Latin vocabularies will seriously call into question the perjorative sense of the vast majority of these words.

This discussion of the Latin vocabulary will follow the same general outline used for the Greek. Three categories are discerned: first, words most commonly denoting stratagem; second, words only occasionally employed; and third, terms for specific stratagems. A distinction between Republican words and those first occurring for stratagem in the Imperial era would be meaningless, since the latter group is negligible.

1. Most Common Words

The most common words for stratagem are *consilium, sollertia, ars, dolus, fraus, furtum*, and *calliditas*. All these represent Latin equivalents for the most common Greek words denoting stratagem, although only *dolus* is

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[4] Brizzi 8 with n. 25, 109, 270.

[5] First Punic War: e.g., Plb. 1.40; Front., *Strat.* 2.5.4 (L. Caecilius Metellus at Panormus); Plb. 1.57.2–5 (L. Iunius Pullus vs Hamilcar Barca at Eryx); Second Illyrian War: Plb. 3.18.9–19.8 (L. Aemilius Paullus vs Demetrius of Pharos) cf. Enn., *Ann.* fr. 524 Vahlen = 544 Warmington = 231 Skutsch with O. Skutsch, *Studia Enniana* (London 1968) 36–37.

directly cognate (scil. with *dolos*) with a word in the Greek vocabulary. *Consilium* (deliberation, purpose, plan, insight) appropriately heads the list, because Cicero selected this word to define *strategema* in the first Latin definition of the Greek term, and Livy followed suit in his indirect equation of the two words.[6] Similarly, Valerius Maximus, although associating *strategema* with *calliditas* (cunning), describes four of his five examples of Roman *strategemata* with *consilium*, and Frontinus initially lists *consilium* as an integral component of *strategema* and subsequently uses it in a chapter title as a synonym of *strategemata*.[7] Thus ample evidence suggests *consilium*, not Brizzi's *fraus* or another word, should be considered the Latin counterpart of Greek *strategema*. But what does the word mean and what are its nuances?

Quintilian distinguishes *consilium* from *iudicium* (judgement) in composition of speeches for the courts:

> I do not believe that *consilium* differs much from judgement, except that the latter is used for showing facts and the former for hiding them or for matters either not yet completely known or in doubt. Judgement most often is definite, but *consilium* is a calculation profoundly sought after and generally weighing carefully and comparing more factors and consisting of both invention and opinion. But not even regarding *consilium* are general rules to be expected, for it is taken from circumstance ....[8]

For Cicero, also writing as a rhetorician, *consilium* is "deliberate calculation of doing or not doing something." Cicero's definition comes close to Basil of Caesarea's view of *phronesis*, while Quintilian's *consilium* recalls Aristotle's *phronesis*: calculation about indefinite matters subject to the play of chance.[9]

If, as noted earlier, *phronesis* could be related to *metis*, so too could *consilium* through its connections with *anchinoia*. Polybius' two components of *anchinoia*, foresight (*pronoia*) and calculation (*logismos*), are echoed in Frontinus' view (*Strat.* 1 praef. 1) that planning (*consilium*) and foresight (*providentia*) foster invention of stratagems. Yet the identification of *consilium* with *anchinoia* long antedates Frontinus. In his speech of 66 B.C. urging passage of the *lex Manilia*, Cicero panegyrizes Pompey's generalship. Not least among his qualities of military leadership Cicero emphasizes his

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6 Cic., *Nat.D.* 3.15: *consilium imperatorium*; Liv. 1.28.5: *consilium et imperii simulatio*.

7 Val.Max. 7.4.1, 3–5; Front., *Strat.* 1 praef. 1, 4.7.

8 Quint., *Inst.* 6.5.3–4: *Nec multum a iudicio credo distare consilium, nisi quod illum ostendentibus* ⟨*se*⟩ *rebus adhibetur, hoc latentibus et aut omnino nondum repertis aut dubiis. et iudicium frequentissime certum est, consilium vero ratio est quaedam alte petita et plerumque plura perpendens et comparans habensque in se et inventionem et iudicationem. sed ne de hoc quidem praecepta in universum expectanda sunt. nam ex re sumitur* ....

9 Cic., *Inv.Rhet.* 1.36: *Consilium est aliquid faciendi aut non faciendi excogitata ratio*. Cf. Ch. II n. 51.

consilium in providendo (insight in foreseeing). Pompey's speed of calculation (*consili celeritas*) had already liberated Sicily from a slave revolt and no task was too big and too difficult not to be ruled by his *consilium*. Yet Pompey's rival Caesar also possessed *anchinoia* and he was not reluctant to illustrate his ability to seize a plan for action at the right moment.[10]

Thus *consilium*, the first Latin word equated with *strategema* by Roman writers, also expresses ideas associated with *phronesis* and *anchinoia*, but in the case of the latter two Greek words caution against a Roman borrowing from Greek is advised. *Anchinoia* is a Greek word, but the idea of *anchinoia* is not limited to a single culture.[11] Equation of words from two different languages, particularly when they are not cognates, can lead to erroneous identifications without sufficient appreciation of the nuances and range of meanings of the words within their respective languages. A stratagem is a plan in one sense, and *consilium*'s basic meaning is also "plan." Frontinus' use of *consilium* in the narrative of his stratagems generally leaves the word's meaning as "plan" or "stratagem" in ambiguity.[12] Greek *mechane* can also denote "plan" (*Suda* s.v.) and the nuances of *consilium* and *mechane* would not appear to have much in common, but in explaining a proposed stratagem against the Romans to his troops, Hannibal paraphrases Aristotle's definition of *mechane*: "many things which have been impeded by nature are freed by *consilium*."[13] Roman writers equate *consilium* with *strategema*, although its range of meanings embraces many Greek words.

Consilium is chameleonic, ever changing its shades of meaning and hues of nuance to fit circumstances—hence its appropriateness to denote stratagem. Its dark side, intimated in Quintillian's definition, surfaces in a tradition (Serv. *ad Aen.* 8.636) about Consus, the god of counsels (*deus consiliorum*), whose temple lay beneath the Circus Maximus at Rome to demonstrate the importance of secrecy in planning.

For Tacitus calculation (*ratio*) and *consilium* are the characteristic skills of a general. Chance may start a war, but victory derives from the *ratio-consilium* combination,[14] which in view of *consilium*'s association with foresight may be another Latin periphrastic expression for the concept of *anchinoia*. *Consilium* could be used for ambush or other tactical stratagems as well as for strategic or grand strategic operations: the Emperor Julian's

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10 Cic., *Leg.Man.* 29, 30, 59; Caes., *BG* 7.27 cf. 5.33.1; Plöger 50–51; Liv. 21.4.5 (Hannibal). Cf. Hellegouarc'h 258.

11 Cf. Ch. II n. 103 concerning Chinese military thought.

12 Front., *Strat.* 1.1.9, 4.14, 9.2; 2.2.5, 7.1–2; 3.6.7, 11.5, 16.3–4. Cf. Cic., *Verr.* 2.5.25.

13 Liv. 25.11.16: *multa, quae impedita natura sunt, consilio expediuntur.*

14 Tac., *Hist.* 3.20.2, 60.2.

imitation in 361 of Alexander the Great's stratagem for strategic advance was *consilium*, just as were Tiberius' machinations in 35–36 for the recovery of Armenia and for the attempted deposition of the Parthian king Artabanus II.[15]

A final but by no means insignificant use of *consilium* remains to be mentioned. The Achilles and the Odysseus ethos functioned among the Romans, as they had among the Greeks, and found expression in Latin writers. Romans did not have to learn stratagems from the Greeks or from Hannibal. *Consilium* quite often represents the Odysseus ethos in the contrast with *vis* (force) or *virtus* (manliness, courage). The Emperor Tiberius, for example, identifies himself with the Odysseus ethos when in 16, supposedly growing jealous of his nephew Germanicus' victories in Germany, he wrote to urge Germanicus' return to Rome and recalled his own German campaigns, in which he achieved more by *consilium* than by force (Tac., *Ann.* 2.26.6). It need not be assumed, however, either that Latin writers had to borrow this contrast of ideas from the Greeks, or that *consilium* had a pejorative sense. The contrast, although without *consilium*, occurs already in Ennius' *Annales*, where Roman intelligence is opposed to Pyrrhus' strength. Augustan writers, such as Vergil, Ovid, and Horace, may be accountable for emphasizing the Greek context of this contrast in Latin by connecting it with figures of the Trojan War.[16]

Furthermore, nothing we have seen of *consilium* indicates a negative tone, but rather a positive or at least a neutral sense. Cicero's use of *consilium* (*Nat.D.* 3.75) confirms its neutral tone. If a plan is treasonous or morally bad, i.e., a plot, then most probably a Latin writer would call it a conspiracy (*coniuratio*) or even a trick (*insidiae*), or the neutral word *consilium* could be made negative through an adjective. When Fabius Maximus trapped Hannibal in a valley and he escaped by night following a herd of cattle to whose horns torches had been tied, he perpetrated in Livy's view a *fallax consilium* (deceptive plan/stratagem). In the Julian law

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[15] Quint., *Inst.* 5.10.37 (= ambush); Nep., *Dat.* 6.8, *Iphic.* 1.2; Vitr., *De arch.* 10.16. 8; Liv. 10.14.13; Tac., *Ger.* 6.4, *Ann.* 6.32 (Tiberius); Amm. 21.8.3 (Julian). It should also be noted that although the recently discovered Parthian ostraca from Nisa shed some new light on the murky early history of Parthian kings, the existence of an Artabanus I in the late third century B.C. remains debatable and therefore Tiberius' contemporary is best numbered Artabanus II. For the problem see *Cambridge History of Iran* (Cambridge 1983) III.1, 98–99, III.2 686–89; Richard N. Frye, *The History of Ancient Iran* (Munich 1984) 206–211 cf. Klaus Schippmann, *Grundzüge der parthischen Geschichte* (Darmstadt 1980) 5–7, 18–21, 123–25; David Sellwood, *An Introduction to the Coinage of Parthia* (London 1980) 56–62, 196–206.

[16] Enn., *Ann.* fr. 175–76 cf. 271 Warmington (= 197–98 cf. 213 Skutsch); Verg., *Aen.* 2.390; Ov., *Met.* 13.360–61; Hor., *Carm.* 4.6.13–17. Cf. Combès 317–19. Combès claims that the contrast is rare in the first century B.C., but we find it several times in Caesar and elsewhere. See n. 18 *infra* and *Rhet.Her.* 3.8.

on treason the Roman legal formula for "with bad intent" (*dolo malo*) gives *consilium* a negative sense.[17] Nor is the "dark side" of *consilium* negative, since the god Consus possessed positive attributes. If at times *consilium* may appear negative, as when barbarian stratagems are contrasted with the courage of Romans or others, the writer actually compliments the rusé commander on his intelligence and simultaneously reveals his own hypocrisy or intent on propaganda. Caesar employs the same language to taint the ingenuity of the German chieftain Ariovistus and of the Gauls, as he does to praise his own brilliant generalship.[18]

Frontinus initially defines *strategemata* as the "clever deeds of generals" (*sollertia ducum facta*) and later asserts that the particular nature of *strategemata* which distinguishes them from *strategika* derives from *ars* (skill) and *sollertia* (cleverness: *Strat.* 1 praef. 1, 4). What specifically do *ars* and *sollertia* mean? *Sollertia* (cleverness, skill, ingenuity) and its adjective *sollers* (clever, skillful) denote innate intelligence and talent, as opposed to a learned skill (*ars*). According to Cicero no learned skill can imitate the *sollertia* of nature, while both Caesar and the anonymous author of the *Bellum Alexandrinum* contrast the native skill of *sollertia* with *ars*.[19] The special nuance of *sollertia*/*sollers* for innate intelligence and cleverness probably accounts for its frequency in describing tricky barbarians, such as the Carthaginian Hamilcar, the Numidian Jugurtha, the Gauls, the Batavian Julius Civilis, the German Chatti, and in the Late Empire the Laeti on the Rhine, the Quadi and Sarmatians on the middle Danube, and the Goth Fritigernus.[20] Of course civilized generals like Themistocles, Alexander the Great, Fabius Maximus, Sulla, and Sertorius possessed it, as did the militarily adept emperors Julian and Valentinian I, not to mention even a common citizen employed in a stratagem of Alcibiades.[21]

The associations of *sollertia* and *sollers* lie with *sapientia* (wisdom), *ratio* (calculation), *animus* (mind, imagination), *ingenium* (innate talent), and

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17 Liv. 22.15.6, 23.35.4 cf. 22.17.6; *Dig.* 48.4.1, where the single occurrence of *consilio malo* should not be taken as a synonym for *dolo malo* found several times in the passage, but rather as a scribal error in the clause: *cuiusve opera consilio malo consilium initium.*

18 Caes., *BG* 1.40.8, 7.22.1, *BC* 1.72.2; Front., *Strat.* 4.7.1; Combès 327. Combès' belief that *consilium* has a negative tone leads him to argue that Romans either substituted another word for *consilium* when referring to themselves or reenforced it with *ratio* (calculation), *sapientia* (wisdom), or *prudentia* (prudence). We have seen that combination of *consilium* and *ratio* may indicate *anchinoia*. The argument appears fallacious, however, on other grounds. *Ratio* and *consilium* are used for Ariovistus' surprise attack on the Helvetians in *BG* 1.40.8 and the association of *consilium* with the Gauls' *sollertia* (ingenuity) in *BG* 7.22.1 offers another barbarian example. *Consilium* was not a negative term, nor were other strategemic terms reserved strictly for Romans.

19 Cic., *Nat.D.* 1.92; Caes., *BC* 2.8.3, 15.4; *BAlex.* 3.1, 13.2, 15.5, 16.5.

20 Front., *Strat.* 3.16.2; Sall., *Iug.* 7.7; Caes., *BG* 7.22.1; Tac., *Hist.* 4.13.2, *Ger.* 30.2; Amm. 16.11.4; 29.6.12; 31.5.4, 16.3. Cf. Curt. 4.13.8.

21 Front., *Strat.* 2.2.14, 5.31; 3.6.6, 16.2; Liv. 9.17.15, 22.23.1; Sil., *Pun.* 7.126; Sall., *Iug.* 96.1; Amm. 17.2.3, 24.7.2, 30.9.4.

not least *consilium*.[22] In fact *sollertia* provides the base from which *consilium* originates, as Caesar shows: "The Gauls' stratagems of every kind were opposing the remarkable courage of our soldiers, seeing that they are a nation of the highest *sollertia* and most fit for imitating and producing everything which is suggested by anyone."[23] Some even wish to equate *sollertia*, understood as Roman practical wisdom, with the Greek *metis* despite the lack of any textual evidence for this identification.[24] *Sollertia* has, however, a close connection with foresight and this is often combined with the quick responses demanded in sieges by defenders as well as attackers.[25]

Two final observations on *sollertia* are in order. First, although *sollertia* is innate cleverness, it can contribute to *ars* as it does to *consilium*: a stratagem can be described as an *ars sollers* (Amm. 27.2.5). Similarly, experience can contribute to development of *sollertia*, as in the case of Sulla, who in 106 B.C came to Africa for the campaign against Jugurtha thoroughly ignorant of war, but in a short time learned to be *sollertissimus* (most clever: Sall., *Iug.* 96.1). Second, *sollertia* has a neutral sense: like Greek *deinotes* Roman cleverness can be bad or good depending upon the writer's perspective. When the Romans profit from an instance of treachery during the Second Punic War, Livy (22.22.6) terms it a "stratagem more clever than honest" (*sollerti magis quam fideli consilio*). Cicero, however, manipulates the word for good and ill within the same treatise: sophistic interpretations of agreements are a *sollertia* to be avoided, whereas a "thorough understanding of truth and *sollertia*" (*perspicientia veri sollertiaque*) compose in the Stoic view one of the four sources of right conduct (*honestum*).[26]

Ars (skill, artifice, fraud), Frontinus' counterpart to *sollertia*, requires little commentary. After its appearance in *Strat.* 1 praef. 4 Frontinus never uses the word again, but others confirm its meaning as stratagem.[27] In the Caesarian corpus the cognate *artificium* (craft, ingenuity) takes preference.[28] *Ars* represents the Latin equivalent of Greek *techne*, although

22 *Sapientia*: Vitr., *De arch.* 10.16.7; *ratio*: Tac., *Ger.* 30.2; *animus*: Liv. 7.14.6; *ingenium*: Sall., *Iug.* 7.7; Tac., *Hist.* 4.13.2; *consilium*: Vitr., *De arch.* 10.16.8; Amm. 21.8.3.

23 Caes., *BG* 7.22.1: *singulari militum nostrorum virtuti consilia cuiusque modi Gallorum occurrebant, ut est summae genus sollertiae atque ad omnia imitari et efficienda, quae a quoque traduntur, aptissimum.*

24 Detienne/Vernant 179.

25 Foresight: Veg. 3.6; 4.26, 30; Amm. 31.10.21; sieges: Caes., *BG* 7.22.1; *BC* 2.8.3, 15.4; Vitr., *De arch.* 10.16.3–8; Amm. 26.8.8.

26 Cic., *Off.* 1.33 cf. 1.15 and the definitions of *sollers* in Festus, pp. 373, 385 Lindsay and Isid., *Orig.* 10.243.

27 Liv. 2.51.4–6; 5.38.3; 7.14.6; 21.54.3; 22.15.5; 25.39.2; 26.4.4; 27.16.10, 17.6; 42.47.8; Tac., *Hist.* 3.59.3, 5.23.3; *Agr.* 27.7; *Ger.* 43.4; Amm. 24.1.3, 27.2.5.

28 Caes., *BG* 7.29.2, *BAfr.* 73.2.

without being its cognate. *Techne,* nevertheless, did come into Latin as *techna* or *techina* primarily through Roman comedy of the second century B.C. *Techna* and *techina* never became Roman legal terms nor do they ever occur as stratagem.[29] The prominence of *techne* in the Greek stratagemic vocabulary did not transfer into a Roman context.

Like *sollertia* and *ars, dolus* (trick, deceit) and *fraus* (deceit, fraud, damage) merit consideration as a pair: the two are often combined in descriptions of stratagems as well as occasionally in legal texts.[30] Yet despite their apparent interchangeability in non-legal texts, *dolus* and *fraus* actually represent related but independent concepts, best seen in their technical legal nuances. These do not carry over into military and historical texts to any great degree, except when *dolus* and *fraus* appear in certain legal formulas, such as *dolo malo* (with malicious intent) and *sine fraude* (without harm). In the Imperial period, the Classical era of Roman law, *dolus* became the most common legal term for trickery. It occurs 512 times in Justinian's *Digest,* as compared to its closest rival *fraus* with 122 appearances. *Dolus*' popularity in the Imperial period is somewhat misleading, since before the time of Cicero other synonyms for trickery, including *fraus,* received preference.[31] The rise of *dolus* to prominence is connected with certain developments in Roman law best reserved for discussion elsewhere. Likewise the positive or pejorative nuances of *dolus* and *fraus,* which are central to the question of the tone of the entire Greek and Latin stratagemic vocabulary, will be postponed for general treatment of this issue in the following chapter. The immediate task is to explore what *dolus* and *fraus* mean.

Ancient sources preserve no dearth of definitions for *dolus* both general and legal, although only that of Aelius Donatus, the noted grammarian of the fourth century and the teacher of St. Jerome, recognizes it as a cognate of the Greek *dolos*—yet somewhat curiously, since its basic meaning as "trick" is omitted:

> *Dolus* is said to be from hewing, that is from injurying or lessening, for injury is called *dolos* in Greek, *dolones* are weapons of war, and workmen hew wood, that is they cut it with an ax.[32]

Only by a great stretch of the imagination can Greek *dolos* be equated

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[29] Carcaterra 35, 38 n. 22.

[30] Caes., *BC* 2.14.1; Liv. 1.53.4, 22.23.4; Tac., *Hist.* 4.24.2 cf. Cic., *Flac.* 74; *Dig.* 32.37.3; Lenel 114 n. 112. The coupling of *dolus* and *fraus,* however, is not so common as Ogilivie implies: 206.

[31] Carcaterra 35–38 with n. 22.

[32] Donat. *ad* Ter., *Eun.* 515 = 3.3.9: *dolus a dolando dictus, id est a laedendo et imminuendo. nam et dolus dicitur Graece laesio et dolones tala quaedam bellica et dolare fabri lignum, id est ascia caedere.*

with "injury" (*laesio*). The basis of this false etymology may be a pun from Plautus in which the verb *dolare* (to shape with an ax) is used with *dolus* for "to devise a trick."[33] Later prose writers never associate the two words. Likewise, Isidore of Seville three centuries later misleads his readers with the following definition of *dolosus* (tricky, deceitful): "treacherous or wicked, from that which deludes, for in order to deceive it embellishes its hidden malice with flattering words." An exclusively verbal connotation for *dolus* cannot be proved in Classical sources, although Isidore may reflect Christian ideas: St. Augustine equates the late Latin noun *dolositas* with verbal deceit.[34]

More helpful is the description of *dolus* from the *Rhetorica ad Herennium* composed *ca* 86–82 B.C. In a discussion of how to compose speeches for deliberation of the state's expediency in a dangerous situation, the author distinguishes employment of force and its various forms from *dolus*, which he defines as follows: "*Dolus* is employed in money, promise, dissimulation, speed, lying, and other things about which we shall speak more greatly at a suitable time, if ever we should want to write a handbook on military affairs or state policy." Later he adds: "But if we shall say that our calculation is safe, we shall use the division into force and *consilium*, for that which we named *dolus* for the sake of emphasizing the matter clearly in teaching, we shall name *consilium* in speaking more honorably."[35] Hence *consilium* is viewed as a euphemism for *dolus*, and just as we have seen that *consilium* could denote stratagem in the contrast of the Achilles and Odysseus ethos, a usage repeated here, so *dolus* also frequently serves this purpose as this anonymous author likewise-attests. Indeed a poetic precedent from the third century B.C. existed for the use of *dolus* in this context. Naevius might have been the first Latin author to use *dolus* for stratagem.[36]

Furthermore, in addition to general and non-technical military concepts associated with stratagem, such as dissimulation, lying, and quick

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33 Plaut., *Mil.* 938: *hodie nunc dolum dolamus*. Cf. Gell. 1.18 on similar false etymologies of Latin words related to Greek.

34 Isid., *Orig.* 10.76: *Dolosus, insidiosus vel malignus, ab eo quod deludat. Ut enim decipiat, occultam malitiam blandis sermonibus ornat.* Cf. Aug., *In Psa.* 49, 26 (ad 49:19), *PL* 36, 581: "*Dolositas* is a deceit in words" (*Dolositas est fraus quaedam in verbis*).

35 *Rhet.Her.* 3.3: *Dolus consumitur in pecunia, pollicitatione, dissimulatione, maturatione, mentitione, et ceteris rebus de quibis magis idoneo tempore loquemur si quando de re militari aut de administratione rei publicae scribere velimus.* 3.8: *At si nostram rationem tutam esse dicemus, divisione utemur in vim et consilium. Nam quod in docendo rei dilucide magnificandae causa dolum appellavimus, id in dicendo honestius consilium appellabimus.*

36 *Consilium*: nn. 16, 18 *supra*; Tac., *Ann.* 2.26.6; *dolus*: Naevius, trag.fr. 44 Warmington: *Dic quo pacto eum potiti; pugnan an dolis?*; Nep., *Hann.* 10.4; Sall., *Cat.* 11.2; Caes., *BG* 1.13.6; *BAfr.* 73.2; Liv. 42.47.8; Verg., *Aen.* 2.390; Flor. 1.3.4; Amm. 17.5.6.

action, the author includes bribery, which the annalist Claudius Quadrigarius, writing about the same time, also combines with *dolus* in the context of an offer made to the Romans for the assassination of Pyrrhus.[37] In later writers *dolus* may be associated with ambush, surprise attack, and undermining a besieged city's walls, or it may be used as a generic term for any stratagem.[38]

Perhaps the greatest significance, however, lies in the date of the *Rhetorica ad Herennium* and Claudius Quadrigarius. These sources of the 80's B.C., therefore both among the earliest Latin prose sources in which the use of *dolus* as stratagem (properly understood) can be discerned, and at least thirty years before Greek *strategema* enters Latin for the first time, demonstrate that the concept of stratagem not only was well developed but also included many ideas not technically military. Nor did the author of the *Rhetorica ad Herennium* necessarily borrow his concept of *dolus* from a Greek rhetorical manual. Greek ideas and Greek rhetorical theory abound in this Latin treatise, but the discussions of military affairs in the only completely extant Greek handbooks antedating this Latin work, those of Anaximenes and Aristotle, although aware of the contrast of the expedient with the honorable, do not discuss stratagems. Likewise the fragments of Hermagoras of Temnos (fl. 150 B.C.), often thought the prime source of the *Rhetorica ad Herennium*, demonstrate practically no concern for *dolus*.[39]

As a legal term, *dolus* belongs to the earliest Roman law: it appeared in the Twelve Tables (traditionally 450 B.C.), although in what context is unknown.[40] It is important to emphasize that until the Augustan period *dolus* regularly occurs in legal contexts, as already in the Twelve Tables, with the adjective *malus* (bad), and *dolus malus* became a legal formula in-

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[37] Claud.Quad. fr. 41, *HRR* I[2] 220 = Gell. 3.8.8.

[38] Ambush: Caes., *BG* 1.13.6; *BAfr.* 73.2; Liv. 6.24.1; Val.Max. 7.4 ex. 2; Flor. 1.45.8; surprise attack: Caes., *BG* 4.13.1, *BC* 2.14.1; Val.Max. 7.4.5; mining: Flor. 1.12.9; other cases: Sall., *Iug.* 46.8 and n. 36 *supra*.

[39] Anax., *Rhet.* [*Rhet. ad Alex.*] 1424b–25b; Arist., *Rh.* 1.3–4, 1358b–60a. Aristotle's acroatic works, to which corpus both these rhetorical manuals belong, were "lost" between *ca* 300 and *ca* 46 B.C., although we cannot be sure about the circulation of other Aristotelian works and the Peripatetic philosophers remained active. For the story of how the Greeks "lost" Aristotle and the Romans rediscovered him see D.C. Earl, "Prologue-form in Ancient Historiography," *ANRW* I.2 (Berlin 1972) 850–53. The author of the *ad Herennium* says little about his sources, but similarities of content between the *Rhet.Her.*, Cicero's *De inventione*, and Quintilian point to use of Hermagoras. The points of possible contact between the *Rhet.Her.* and Hermagoras, however, all occur in the first two books of the *Rhet.Her.* and not in the third book containing the discussion of *dolus*. See D. Matthes, *Hermagorae Temnitae Testimonia et Fragmenta* (Teubner ed.: Leipzig 1962) 68. Cf. Kennedy 103–38.

[40] Donat. *ad* Ter., *Eun.* 515 = XII Tab. fr. 4 Warmington. Possibly the context is regarding guardianship (*tutela*): Cic., *Off.* 3.61.

dicating an act done "with malicious intent" at some uncertain but presumably early date. Its frequency is attested by the epigraphical abbreviation *d.m.* and in the supposedly archaic formulas for concluding treaties.[41] Imperial jurists dropped the adjective *malus* and wrote only *dolus* except of course when using the *dolus malus* formula. Yet neither the formula *dolus malus* nor *dolus malus* in non-formulaic legal use have any connection with stratagem: the formula is a legal convention concerned with the mental disposition of the doer of an act and in no way indicates trickery, while writers of both the Republican and Imperial periods who designate a stratagem as *dolus* never couple it with *malus*.[42] Frontinus in fact does not even use *dolus* in the *Strategemata*.

Although *dolus malus* is found in the Twelve Tables and specific laws dealt with trickery or deceit in individual cases, no one bothered to construct a general definition before the second quarter of the first century B.C., when C. Aquilius Gallus, a *iurisconsultus* and Cicero's friend and colleague in the praetorship of 66 B.C., performed this service.[43] Gallus defined *dolus malus* as "when one thing has been pretended and another thing is done."[44] Gallus' definition, when compared to the description of *dolus* in the *Rhetorica ad Herennium*, seems adequate for the categories of promise, dissimulation, and lying, but less so for bribery or quick action, and unsatisfactory for military actions such as ambush, surprise attack, or mining.

Indeed Romans also felt the need to improve the precision of Gallus' definition and at least one jurist in each of the following two generations attempted it: at the end of the Republic, Servius Sulpicius Rufus (*cos.* 51 B.C., d. 43 B.C.) and the leading jurist of the Augustan period, M. Antistius Labeo (d. 10 or 11).[45] The third century jurist Ulpian cites both their definitions:

> Servius in fact defined *dolus malus* as follows: a contrivance for the sake of deceiving another, when one thing is pretended and another thing is done. Labeo, however, said that even without pretense something could be done

[41] The abbreviation, e.g., *ILS* 6085; treaty formula: Liv. 1.24.7, 38.11.2, 5. Carcaterra argues *dolus*' original meaning was "will" or "intent": 124 n. 15, but Donatus' reference to the Twelve Tables (n. 40 *supra*) is too vague to permit this argument. Besides, his equation of *dolus* and *laesio* (quoted in n. 32 *supra*) may indicate that he either confused *dolus* with *fraus* or thought *dolus* and *fraus* identical.

[42] See *Dig.* 48.4.1, 4 (*lex Iulia maiestatis*); Gell. 16.4.2 (military oath on stealing); Wheeler, *GRBS* (1984) 266–68; use of *dolus* alone for stratagem: nn. 30, 36–38 *supra*.

[43] Cic., *Off.* 3.61; Carcaterra 59–61. It is not clear from Cicero's reference to *dolus malus* in *Off.* 3.61 that this phrase actually appeared in the various laws listed in the passage or that only the idea of *dolus malus* as defined by Gallus is attested in these laws.

[44] *Cum aliud sit simulatum aliud actum*: Cic., *Nat.D.* 3.74; *Off.* 3.60 cf. Isid., *Orig.* 5.26.7 and Pease II, 1166–67.

[45] Bibliography on Servius and Labeo in Carcaterra 244 n. 26, 248 n. 33.

> so that someone may be cheated, and that also without criminal fraud one thing could be done and another pretended, just as those do, who through some sort of dissimulation save themselves and guard either their own or another's property. Therefore Labeo defined *dolus malus* as follows: it was all cunning, deception, and contrivance used for circumventing, deceiving, and cheating another.[46]

Ulpian's citation of these definitions is genuine, i.e., no evidence gives cause to believe the text includes interpolations by later jurists, a common problem in the textual tradition of Roman law.[47] Both Servius and Labeo sought to close the loopholes in Gallus' original definition and to make the definition of criminal fraud (*dolus malus*) more precise rather than broadening the scope of the concept.[48] Yet Servius' addition of *machinatio* (contrivance) seems to contribute little apart from emphasizing the conscious intent to deceive in much the same way as *sciens* (purposely, knowing) could be attached to the *dolus malus* formula for the same purpose.[49] Labeo's lengthier definition wins Ulpian's approval, but it is erroneous to try to find in it intricate subtleties.[50]

These technical legal definitions of criminal fraud in Roman civil law actually have little to do with stratagems, which generally belong to military and international law. Nevertheless, these definitions do serve to illustrate use of terms common in the Latin stratagemic vocabulary and to highlight some Roman nuances of *dolus*. In sum, *dolus malus* has three meanings in Roman law: first, in its widest sense it denoted any behavior contradictory to *bona fides*; second, it indicates intention or purpose as opposed to negligence or accident; and third, in its narrowest sense it is simply deception. Use of *dolus* presumes, however, the presence of a "great and manifest cunning" (*magna et evidens calliditas*).[51]

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[46] *Dig.* 4.3.1.2: *Dolum malum Servius quidem ita definiit machinationem quandam alterius decipiendi causa, cum aliud similatur et aliud agitur. Labeo autem posse et sine simulatione id agi, ut quis circumveniatur: posse et sine dolo malo aliud agi, aliud simulari, sicuti faciunt, qui per eiusmodi dissimulationem se servant et tuentur vel sua vel aliena: itaque ipse sic definiit dolum malum esse omnem calliditatem fallaciam machinationem ad circumveniendum fallendum decipiendum alterum adhibitum.* I have included in this text Carcaterra's emendation (109–10) of *se servant* for *deserviant*, a word nonsensical in the sentence.

[47] Carcaterra 10–28, 77–88.

[48] A. Wacke, review of Carcaterra, *ZRG* 88 (1971) 443.

[49] A. Berger, "Dolo malo," *EDRL*, 440.

[50] *Dig.* 4.3.1.3. Carcaterra argues that Labeo's definition divides into three asyndeta denoting three degrees of trickery: cunning for circumvention (*calliditatem ... ad circumveniendum*), i.e., to profit from another's unseen error; a trick for deceiving (*fallaciam ... ad fallendum*), i.e., to induce another into error; and contrivance for cheating (*machinationem ... ad decipiendum*), i.e., to create an illusion by which another falls into error. Wacke has justly refuted this interpretation. See Carcaterra 10, 40–57; Wacke, *ZRG* (1971) 442–43 and "Zum *dolus*-Begriff der *actio de dolo*," *RIDA* 27 (1980) 351–54.

[51] *Dig.* 4.3.7.10 cf. Isid., *Orig.* 5.26.7; Wacke, *RIDA* (1980) 354 and "Circumscribere, gerechter Preis und die Arten der List," *ZRG* 94 (1977) 196.

In Livy's view (1.53.4) *fraus* (deceit, fraud, damage) and *dolus* were the least Roman of arts, but he would never have been able to convince the Samnites: Roman tradition held that after trapping a Roman army in a narrow valley called the Caudine Forks in 321 B.C. the Samnites were maneuvered out of their military success through Roman legal chicanery in the peace making process. Indeed the Samnites could justly complain that Romans always gave *fraus* the semblance of law.[52] Neither in foreign relations nor in Roman civil law could *fraus* be termed a word unfamiliar to the Latin tongue. It had a long history at Rome.

Fraus is the Latin equivalent of Greek *apate*. Cicero directly equates the two words in his version of Hesiod's genealogy of the gods,[53] but association of the two words should not be pressed too far, since etymologically no relationship exists: the roots of *fraus* intertwine with those of Greek *thrauein* (to break) and *titroskein* (to wound, to damage). *Fraus* as "deceit" or "fraud" comes about only through its more basic meaning as "injury" or "damage."[54] In contrast to *dolus*, ancient definitions of *fraus* occur only indirectly and in legal contexts. Examination of *fraus* suitably begins with Roman law.

Fraus occurs four times in the Twelve Tables, three of which show it already in the formula *sine fraude* (archaic form: *se fraude*), with the sense of "injury" or "damage."[55] Just as the formula *dolus malus* has nothing to do with trickery, so *sine fraude* does not denote "without deceit," but rather "with impunity" or "without injury" and frequently appears in terms of surrender as a pledge of no harm coming to the surrendered party.[56] In its single non-formulaic use in the Twelve Tables (8.21) injury (*fraus*) to a client by his patron is prohibited. Later Roman law shows the equation of *fraus* with penalty (*poena*): "*Fraus* is one thing and penalty another, for there can be *fraus* without a penalty and penalty there cannot be without *fraus*. Penalty is punishment for an injury. *Fraus* is said to be both the injury itself and preparation as if for some penalty."[57]

Fraus, however, can only be properly understood in regard to *fides*, that extra-legal, fluid relationship of mutual confidence and obligations be-

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52 Liv. 9.11.7: *Et semper aliquam fraudi speciem iuris imponitis.*

53 Cic., *Nat.D.* 3.44; Hes., *Theog.* 224. Cf. Waser, "Fraus," *RE* 7 (1910) 92; Steuding, "Fraus," Roscher, *Lex.* I.2, 1558.

54 H. Krüger/M. Kaser, "Fraus," *ZRG* 63 (1943) 117–74.

55 *Ibid.*, 120–21; XII Tab. 8.21 = Serv. *ad Aen.* 6.609; in formula: XII Tab. 4.6, 10.7 (= Cic., *Leg.* 2.60), 9.

56 Caes., *BC* 2.22.1; Liv. 24.47.8; 26.12.5, 17.6; 33.20.7; 35.35.8; 38.9.9; Krüger/Kaser, *ZRG* (1943) 138–39. *Fraus* is combined with *noxia* (harm, damage) in Liv. 33.20.7.

57 *Dig.* 50.16.131: *Aliud fraus est, aliud poena: fraus enim sine poena esse potest, poena sine fraude esse not potest. poena est noxae vindicta, fraus et ipsa noxa dicitur et quasi poenae quaedam praeparatio.* Other references in Krüger/Kaser *ZRG* (1943) 137.

tween parties, one of which is often seen as a superior.[58] When a patron perpetrates *fraus* on his client, as prohibited in XII Tab. 8.21, he abuses or possibly even breaks his *fides* with the client, i.e., his promised obligation to protect the client and his interests. *Fraus*, therefore, is a breach of rules of behavior, in which the initial theoretical "injury" is to *fides*. Subsequently, this "injury to *fides*" comes to mean objectively the cause of the injury and then the consequence of the breach of faith, i.e., intentional injurying.[59] *Fraus*, like *fides* to which it is tied, is a fluid concept dependent on what the circumstances of *fides* are.

Thus the transition of *fraus* from "injury" or "damage" to "deceit" occurs through its sense as breach of faith—"injury to *fides*." In law this transference of nuance is found in the two concepts "to act for deceit of the law" (*in fraudem legis facere*) and "to do damage to the law" (*fraudem legi facere*). The former denotes observance of the letter but not the spirit of the law, and the latter involves an act which the spirit of the law prohibits but the law does not expressly forbid.[60] In both cases the concept of deceit is clear, although the sense of *fraus* as "damage" or "deceit" is ambiguous for a translator. Moreover, the abuse or breach of faith implicit in *fraus* does not occur in *dolus*, a more neutral term, and this may account for the preference shown for *fraus* in Latin writers before Gallus' definition of *dolus malus*. Even when Classical jurists coupled *dolus* and *fraus, dolus* tends to refer only to performance of circumscribed behavior without regard to injurious or deceitful intent, whereas *fraus* specifies an intent to injure.[61] Donatus' equation of *dolos/dolus* with *laesio* would thus better fit *fraus*. Furthermore, despite some scholars' attempt to deny any difference between Greek *pistis* and Latin *fides, fraus* derives its meaning from *fides*, whereas Greek views of *apate* never mention *pistis*.[62]

If breach of the rules of behavior forms the basis of *fraus* in law, so its negative moral overtones derive from a breach of morality, and this occurs early: *fraus* as a general term for deceit appears already in Plautus and Terence.[63] Nor is it peculiar that Cicero distinguishes the Achilles

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58 Cf. V. Bellini, "Deditio in fidem," *RHDFE* 42 (1964) 449, 453 n. 16; E.S. Gruen, "Greek πίστις and Roman *Fides*," *Athenaeum* 60 (1982) 51 with n. 4, 55.

59 Krüger/Kaser, *ZRG* (1943) 120–21, 173; H. Niederländer, "Die Entwicklung des *furtum* und seine etymologischen Ableitungen," *ZRG* 67 (1950) 250; Bellini, *RHDFE* (1964) 449.

60 *Dig.* 1.3.29–30; Berger, *EDRL*, 447 (*fraus legi facta*). Cf. R. Katzoff, "Judicial Reasoning in P. Catt—Fraus Legi," *TAPA* 101 (1970) 241–52, esp. 248–49: jurists did not concern themselves with *fraus legi* before the second century.

61 Niederländer, *ZRG* (1950) 250.

62 The equation of *pistis* and *fides* in Gruen, *Athenaeum* (1982) 50–68 cf. Wheeler, *GRBS* (1984) 273 with n. 67 and G. Freyburger, "*Fides* et *potestas*: πίστις et ἐπιτροπή," *Ktema* 7 (1982) 177–85.

63 Krüger/Kaser, *ZRG* (1943) 174; Carcaterra 37.

from the Odysseus ethos in terms of *iniuria* (injury, injustice), which occurs by either force (*vis*) or deceit (*fraus*).[64] *Fraus* as stratagem can be explained in much the same way as *fraus* in law and morality. Indeed the original legal meaning of *fraus* may have been "disadvantage," and accordingly *fraus* as stratagem becomes an act depriving someone of his advantage or superiority—the means of a weaker party to compensate for his opponent's strength.[65] Fabius Maximus' warning to Scipio Africanus in 205 B.C. merits citation: "*fraus* prepares its credibility in insignificant details, so that when it is important, it may deceive with great profit."[66]

From another point of view, the normal expectations of opponents in a conflict is a form of *fides* and, depending on the warrior code of a particular era, a stratagem may seem to break the accepted rules of behavior. An ambush designated as *fraus* conforms to this violation of strategic *fides* in the Achilles ethos, as does assassination.[67] In other cases, however, *fraus* retains its legal flavor when the stratagem involves violation of the *fides* of an agreement, spoken or understood, such as a surprise attack during a truce, instances of treason, whose descriptions are sometimes reenforced by reference to *perfidia* (treachery), or chicanery with a treaty. Frontinus uses *fraus* only two times and both involve betrayal: the proposed treachery of the Falerian schoolmaster rejected by Camillus was *fraus*, and C. Pinarius' massacre of the Sicilian city of Henna in 214 B.C. was in response to a Greek *fraus*, i.e., their desire to switch to the Carthaginian side.[68] Of course *fraus* can also occur as a generic term for stratagem.[69]

Another legal term, *furtum* (theft, trick), does not involve so many technicalities as *fraus*. *Furtum* and its cognates *furari* (to steal) and *furtim* (by stealth, secretly) correspond in some respects to Greek *klope* and its cognates, although Latin *fur* (thief), from which this group derives, is related to Greek *phor* (thief). Like *klope, furtum* is associated with clandestine and nocturnal activity, a view already attested in the Twelve Tables (8.12–13). M. Terentius Varro, the great scholar of the Late Republic, erroneously proposed its derivation from the adjective *furvus* (black), a point fol-

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64 Cic., *Off.* 1.41 cf. Tac., *Ann.* 2.88.4, 12.45.2; Veg. 3.19.

65 Krüger/Kaser, *ZRG* (1943) 118; Berger, *EDRL* 477.

66 Liv. 28.42.7: *fraus fidem in parvis sibi praestruit ut, cum operae pretium sit, cum mercede magna fallat.*

67 Ambush: Cato fr. 83, *HRR* I^2 78 = Gell. 3.7.4; Liv. 9.2.9; Flor., 1.16.7; Tac., *Ann.* 2.46.6, 13.40.5; assassination: Tac., *Ann.* 2.88.4; Amm. 30.1.19 cf. 17.5.6.

68 Surprise attack: Caes., *BC* 2.14.1; treachery: Liv. 28.42.8 cf. 25.33.1–7; Front., *Strat.* 4.4.1, 7.22; Tac., *Ann.* 2.46.6; treaty: Liv. 9.11.7.

69 Flor. 1.45.6; Veg. 3.19.

lowed by the jurist Labeo and even the encyclopedist Isidore in the seventh century.[70]

Furtum is defined as a "deceitful handling of a thing for the sake of profit or for the thing itself, or also for its use or possession," more succinctly put it by Isidore as "the secret handling of another's property."[71] Just as the Greeks distinguished open stealing (*harpage*) from clandestine thievery (*klope*), so did the Romans, although *furtum* was subdivided into the categories of manifest thievery, i.e., caught in the act or found in possession of stolen goods, and of its opposite, non-manifest thievery. Open stealing assumed the use of force (*vi bonorum raptorum*) or was simply called "highway robbery" (*latrocinium*).[72]

In contrast to *fraus*, however, the legal subtleties of Roman law on *furtum* have little bearing on its use as stratagem. Indeed *furtum* occupies a unique place in the Latin stratagemic vocabulary as the only one of its common words whose synonymity with stratagem can be directly traced to the stylistic imitation of a Greek writer by a Latin historian: *furta* to designate stratagems first appears in Sallust as an attempt to express Thucydides' *klemmata*.[73] Caesar (*BG* 6.16.5) still employed *furtum* only in its strict legal sense. After Sallust, *furtum* became a standard term for stratagem in both prose and poetry, and Ovid even inserts it in the mouth of Ajax as a characteristic of Ulysses.[74] Yet despite Sallust's equation of *furtum* with *klemma*, which as a synonym for stratagem occurs only in Thucydides, *furtum*'s associations resemble *klope*: it occurs frequently as a surprise attack by night or stealthy activity such as stealing away hostages.[75] Furthermore, like *klope, furtum* can assume a pejorative sense in propaganda, when one party wishes to clothe itself in the Achilles ethos to belittle the success of an opponent: both Romans and Carthaginians in the Second Punic War manipulate the word in this way.[76]

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70 Gell. 1.18.4–6; *Dig*. 47.2.1; Isid., *Orig*. 5.26.18. The jurist Masurius Sabinus, the author of a *De furtis*, believed *furtum* derived from *fraus*, but Julius Paulus, another jurist, and the encyclopedist Aulus Gellius discerned the correct association with *phor*.

71 *Dig*. 47.2.14: *Furtum est contrectatio rei fraudulosa lucri faciendi gratia vel ipsius rei vel etiam usus eius possessionisve*; Isid., *Orig*. 5.26.18: *Furtum est rei alienae clandestina contrectatio*.

72 *Dig*. 47.2.2–3, 8 (manifest and non-manifest); 47.8 (use of force) cf. Caes., *BG* 6.16.5. Isidore, writing in Visigothic Spain and therefore after the great wave of barbarian conquests, quite interestingly uses *pervasio* (invasion) to denote open stealing, which in his view contrasts with *furtum* by including both mobile and immobile property: *Orig*. 5.26.18.

73 Thuc. 5.9.5; Sall., *Hist* 1.112 Maurenbrecher cf. Ch. II n. 40 and Serv. *ad Aen*. 11.515; E. Wölfflin, "Frontins Kriegslisten," *Hermes* 9 (1875) 82–83.

74 Verg., *Aen*. 10.735, 11.515 (ambush); Ov., *Met*. 13.104; Front., *Strat*. 2.5.31; Amm. 23.3.8.

75 Night attack: Liv. 26.39.11, 51.12; Curt. 4.13.4; Sil., *Pun*. 17.90; Tac., *Agr*. 34.1; stealthy activity: Liv. 9.11.6; Curt. 4.4.16.

76 Liv. 26.39.11, 51.12.

Nevertheless, most surprising is the recurrent association of *furtum* and its cognates with barbarians, found from the beginning in Sallust regarding the Spanish, but also attested for the Britains, Numidians, Batavians, Parthians, Germans, Sarmatians, Persians, and Isaurians.[77] In this case, *furtum* not only denotes the stratagems of tricky barbarians, but is extended to indicate guerilla warfare and raiding, which its occasional coupling with *latrocinium* makes even clearer. We should also note that in the Late Empire a synonym for *furtum* as "clandestine thievery," *subreptio*, would also be used for stratagem (Jord., *Get.* 192) and again as an act of barbarians.

Calliditas (cunning, skill), the last item in this category of the most common Latin words for stratagem, has already been encountered: Valerius Maximus (7.4. praef.) defined *strategema* as "that aspect of *calliditas* illustrious and far removed from all reproach." Donatus echoes this view in a definition of the adjective *callidus* (clever, skillful): "he was also called *callidus*, who employs tricks," and in law *dolus* presupposes the presence of a great and manifest *calliditas*.[78] The word, however, is not a general legal term, since all twenty-three of its appearances in the *Digest* occur in excerpts from Ulpian.[79]

Calliditas in fact belongs not to law but to philosophy and the realm of intellectual faculties. Cicero in quoting a passage of Plato equates *calliditas* with Greek *panourgia*: "knowledge, which has been separated from justice, must be called *calliditas* rather than wisdom."[80] Certainly *calliditas* could have a pejorative tone, as Cicero implies, although not exclusively so, since Valerius Maximus takes pains to divorce stratagem from any negativism. Isidore's definition of *callidus*, while recognizing the word's pejorative sense, also leads to a more neutral evaluation of the word: "The cunning (*callidus*) man is deceitful, because he knows how to conceal, and is experienced in evil. The ancients, however, used to take *callidus* not only for clever but also for the man cleverly taught."[81] The key

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77 Spanish: Sall., *Hist.* 1.112 Maurenbrecher; Front., *Strat.* 2.5.31; Britains: Tac., *Agr.* 34.1; Numidians: Tac., *Ann.* 3.74.1; Batavians: Tac., *Hist.* 4.56.3; Parthians: Tac., *Ann.* 13.37.2; Germans: Amm. 16.11.4; Sarmatians: Amm. 19.11.4; Persians: Amm. 16.9.1; Isaurians: Amm. 19.13.1.

78 Donat. *ad* Ter., *Ad.* 417 = 3.3.63: *Callidus dictus est etiam qui exercet dolos; Dig.* 4.3.7.10; Isid., *Orig.* 5.26.7.

79 Carcaterra 38 n. 22. I do not accept Carcaterra's argument that *calliditas* has a legal meaning of *dissimulatio* and denotes taking advantage of another's error or ignorance: 40–48.

80 Cic., *Off.* 1.63: *scientia, quae est remota ab iustitia, calliditas potius quam sapientia est appellanda.*

81 Isid., *Orig.* 10.41: *Callidus, fraudulentus, quia celare novit, et male peritus. Callidum autem veteres non pro astuto tantum, sed etiam pro astute docto ponebant.*

words here are "experienced" (*peritus*) and "taught" (*doctus*). *Calliditas* is cunning learned through experience. It derives from *callere* (to be thick-skinned) and ultimately from *callum* (hard or thick skin), as Cicero indicates: "I call those cunning of whom, just as the hand by work, so the mind by experience has become hard."[82] Frontinus combines *calliditas* with *peritia* (experience) in a description of Hannibal's military activities, and the same association occurs in Ammianus.[83] Yet the cunning of *calliditas* implies more than a learned skill, for *calliditas* occurs coupled with the quickness of mind characteristic of *anchinoia*.[84] *Calliditas* may thus share the tone of *panourgia*, but its basic meaning is closer to Greek *techne* or Latin *ars*.[85]

Like *sollertia, calliditas* represents an intellectual faculty from which inspiration for stratagem springs rather than the stratagem *per se*. This rusé property characterizes many ancient commanders. Besides Hannibal, the Romans Tullus Hostilius, Fabius Maximus, Scipio Africanus, and Aemilius Paullus possessed it, as did the Greeks Themistocles, Jason of Pherae, Eumenes of Cardia, and Agathocles, and even the Spanish chieftain Viriathus. *Calliditas* was judged a national characteristic of Carthaginians and Greeks as well as less civilized barbarians such as the Gallic Aquitani and the Thracian Scordisci. Tacitus, however, distinguishes the Germans as a nation who lacked it.[86] Yet only Cicero gives a specific description of what being a *callidus* general means: "we have heard that from the generals of the Carthaginians, Hannibal, and from our own, Quintus Maximus, were *callidus*: ready to hide, to keep silent, to dissimulate, to ambush, and to perceive the enemies' plans in advance. In this category the Greeks rate Themistocles and Jason of Pherae above others."[87] These generals of *calliditas* receive Cicero's approval and must be

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[82] Cic., *Nat.D.* 3.25: *appello . . . callidos autem quorum tamquam manus opere sic animus usu concalluit*. Cf. Donat. *ad* Ter., *Ad.* 417 = 3.3.63: "one is called *callidus*, who produced his thick skin by the practice of a skill" (*callidus dicitur, qui callum sibi usu artis induxerit*).

[83] Front., *Strat.* 1.8.7; Amm. 16.12.32.

[84] Cic., *Nat.D.* 3.25, *Off.* 1.108; Nep., *Eum.* 1.3; Isid. *Orig.* 10.41.

[85] Cf. Amm. 29.6.12, where Roman fortifications blunt an attack of the Quadi and the Sarmatians, barbarians "not very clever at these skills of fighting," i.e., at siegecraft: *parum ad has calliditates dimicandi sollertes*.

[86] Hannibal: Cic., *Off.* 1.108; Front., *Strat.* 1.8.7; Tullus Hostilius: Flor. 1.3.7; Fabius Maximus: Cic., *Off.* 1.108; Africanus: Val.Max. 7.3.3; Paullus: Front., *Strat.* 2.3.30; Themistocles and Jason: Cic., *Off.* 1.108; Eumenes: Nep., *Eum.* 1.3; Agathocles: Val.Max. 7.4 ex. 1: Viriathus: Flor. 1.33.15; Carthaginians: Val.Max. 7.4.4; Greeks: Liv. 42.47.6; Aquitani and Scordisci: Flor. 1.39.3, 45.6; Germans: Tac., *Ger.* 22.3.

[87] Cic., *Off.* 1.108: *callidum Hannibalem ex Poenorum, ex nostris ducibus Q. Maximum accepimus, facile celare, tacere, dissimulare, insidiari, praeripere hostium consilia. In quo genere Graeci Themistoclem et Pheraeum Iasonem ceteris anteponunt*. I assume that Cicero's Q. Maximus refers to Q. Fabius Maximus Cunctator of the Second Punic War, although a case could be made for his ancestor Q. Fabius Maximus Rullianus, prominent in the Second and

contrasted with unscrupulous deceivers such as Sulla, Marcus Crassus, and the Spartan Lysander (Cic., *Off.* 1.109).

Yet apart from Cicero's definition of a *callidus* general, *calliditas* is identified with very few specific stratagems. Frontinus notes Aemilius Paullus' feigned retreat at Pydna in 168 B.C. as *calliditas*, and Valerius Maximus describes the Romans' psychological ploy of throwing bread to the Gauls during their siege of the Capitol in 390 B.C. as a "cunning type of stratagem." Similarly, Cicero condemns sophistic interpretation of agreements as "an excessively cunning but deceitful interpretation of law."[88] But these are rarities.

2. *Occasional Words*

The second category, those words used only occasionally for stratagem, subdivides into four groups: first, mental faculties; second, deceit; third, borrowings from sport; and fourth, moral reproaches. For the most part, words of these first two groups present only synonyms for some terms and concepts already discussed in the first category, whereas the third and fourth groups, although offering some new ideas, have only a very low frequency.

a) Mental Faculties

The first group of this category includes *sapientia, prudentia, ingenium, astus/astutia,* and *vafritia/vaframentum. Sapientia* (wisdom) appropriately heads this group. When Livy's old senators in 171 B.C. rebuke Roman diplomatic duplicity, a passage containing Polybius' operational definition of stratagem, they characterize the concept as *nova ac nimis callida sapientia* (new and excessively cunning *sapientia*). At about the same time Polybius' contemporaries, Ennius and the comic poet Lucius Afranius, equated *sapientia* with Greek *sophia*, just as Cicero would do in the following century.[89] *Sapientia* as stratagem does not represent an anomaly any more than *sophia*, which originally denoted "skill" and "practical wisdom" before Plato and other philosophers elevated it to a philosophical ideal with strong moral overtones. Cicero introduced this philosophical

Third Samnite Wars (traditionally, 326–290 B.C.) and known for stratagems as seen repeatedly in Frontinus.

88 Front., *Strat.* 2.3.20; Val.Max. 7.4.3: *callido genere consilii*; Cic., *Off* 1.33: *nimis callida, sed malitiosa iuris interpretatione.*

89 Liv. 42.47.4–9 (text in Ch. I n. 64); Enn., *Ann.* fr. 218 Vahlen = 229–30 Warmington = 211–12 Skutsch; Afranius in Gell. 13.8.3; Cic., *Off.* 1.63, 153. In Afranius *sapientia* is the off-spring of *Usus* (Experience) and *Memoria* (Memory).

sense of *sapientia* into Latin.[90] He recognized (*Tusc.* 5.7), however, that *sapientia* both as a concept and as a word long antedated philosophy, a relatively recent invention of the Greeks: the *sapientia* of Homer's Ulysses and Nestor did not involve philosophy. A non-philosophical *sapientia* deserves a place among the oldest Roman virtues.[91] What are the nuances of *sapientia* which produce its association with stratagem?

Sapientia derives from *sapio sapere**, a verb distantly related to *sophia*, but whose meaning "to taste" or "to have good taste" eventually developed into "to be wise."[92] The ability to discern implicit in this derivation leads in several directions. In Roman comedy *sapientia* has no moral connotation, but rather denotes "trick," "cunning," and "shrewdness" as well as the quick perception of a situation.[93] Roman adaptors of Greek plays have apparently substituted *sapientia* for the practical wisdom of Greek *sophia*, and Ennius terms his technical knowledge as a poet *sapientia*.[94] Plautus, however, directly equates *sapientia* with *phronesis*, the proper discernment of what should be done. Similarly, Cicero paraphrases a line from the Greek tragic poet Chaeremon with *sapientia* for Greek *euboulia*, the good planning which Aristotle associates with *phronesis*, and Plutarch says *sapiens* is the equivalent of both *sophos* and *phronimos*.[95] As seen earlier, a Latin word often has more than one Greek equivalent.

Unlike *ars*, a learned skill, *sapientia* is an innate quality which can be further developed.[96] References to the *sapientia* of a general often mention his experience.[97] *Sapientia* in fact transcends areas of technical expertise teachable by definite rules and bestows that direct insight and instant analysis of situations characteristic of *anchinoia*.[98] The *sapiens* knows what to do in every situation not by reflexion nor with rashness but rather

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[90] On *sophia* see Ch. II n. 7; Cic., *Lael.* 6–7, *Fin.* 2.24 and n. 89 *supra*; Klima 49; Garbarino 428; Homeyer, *AC* (1956) 302. Homeyer argues unconvincingly that Greek philosophical influence could be seen in *sapientia* from the beginning of Latin literature and that Cicero attempted to develop a specifically Roman sense of the word.

[91] Hellegouarc'h 271; Klima 53; Homeyer 302.

[92] Lewis & Short s.v. *sapio* cf. Isid., *Orig.* 10.240.

[93] Klima 11, 75–83; G. Garbarino, "Evoluzione semantica dei termini *sapiens* e *sapientia* nei secoli III e II a.C., " *AAT* 100 (1966) 255.

[94] Ennius in n. 89 *supra*; A.S. Gratwick, "Ennius' Annales," in E.J. Kennedy, ed., *The Cambridge History of Classical Literature*, II: *Latin Literature* (Cambridge 1982) 62. *Contra*, Homeyer, *AC* (1956) 305, who thinks Ennius' *sapientia* refers to philosophy. Cf. n. 90 *supra*.

[95] Plaut., *Truc.* 77; Cic., *Tusc.* 5.25 = Chaeremon fr. 2 Nauck; Arist., *EN* 6.7.6; Plut., *T. Gracch.* 8.5 cf. Cic., *Lael.* 6; Garbarino, *AAT* (1966) 256 with n. 4; Klima 48 with n. 2.

[96] Pub.Syr. 590; Garbarino, *AAT* (1966) 256.

[97] Nep., *Timoth.* 3.2; Tac., *Ann.* 13.8.2.

[98] Cf. Klima 4–5, 15.

through his foresight.[99] *Sapientia* thus embodies numerous stratagemic traits: the practical wisdom of *sophia*, the discernment of *phronesis*, and *anchinoia*'s instant analysis. The word properly belongs to the Odysseus ethos, as Cicero indicates in distinguishing *sapientia* from *fortitudo* (bravery):

> But since from this order (i.e., the Senate) not only bravery, but also *sapientia* is demanded—although they scarcely seem able to be distinguished, let us distinguish them nevertheless—, bravery commands to fight, kindles just hatred, incites to join battle, calls to danger. What does *sapientia* do? It uses safer plans, foresees the future, and is more secret in every calculation.[100]

Ennius likewise claims *sapientia* for the Odysseus ethos when he contrasts Pyrrhus and his family as *bellipotentes*, i.e., exponents of the Achilles ethos, with the Romans who are *sapientipotentes*.[101]

For a word so full of rusé nuances as *sapientia* its infrequency as stratagem is puzzling: it does not share in the Latin vocabulary *sophia*'s prominence in the Greek. In Valerius Maximus the ruses of craftiness (*vafritia*) lie only a step away from *sapientia* and stratagems are only a step away from craftiness.[102] *Sapientia*'s use in comedy for tricks certainly rendered it suitable for transfer to military contexts, but this happens only rarely. Frontinus does not use *sapientia* or its cognates at all, and Vegetius offers only one instance in which a *sapiens* general perpetrates a stratagem, although *sapiens* and *sapienter* (skillful and skillfully respectively) occur several times.[103] Tacitus characterizes Germanicus' settlement of Eastern affairs in 19 as *sapientia* in contrast to war, and Cicero lauds Fabius Maximus for *sapientia* in generalship, a commander elsewhere praised as a *callidus dux*.[104] But the best example is found in Vitruvius: the defensive stratagems of Diognetus, the architect of Rhodes, dissuade Demetrius Poliorcetes from continuing his siege of that city in 305 B.C. Demetrius was cheated of victory by Diognetus' *sapientia*, whose rusé sense in the

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99 Hellegouarc'h 372–73; Klima 11–16.

100 Cic., *Phil.* 13.6: *Sed quoniam ab hoc ordine non fortitudo solum, verum etiam sapientia postulatur—quamquam vix videntur haec posse seiungi, seiungamus tamen—, fortitudo dimicare iubet, iustum odium incendit, ad confligendum impellit, vocat ad periculum: quid sapientia? Cautioribus utitur consiliis, in posterum providet, est omni ratione tectior.*

101 Enn., *Ann.* fr. 175–76 Warmington = fr. 197–98 Skutsch cf. *Ann.* fr. 186–93 Warmington = 183–90 Skutsch with D.C. Earl, "Political Terminology in Plautus," *Historia* 9 (1960) 280, where Pyrrhus reproaches the Romans and C. Fabricius Luscinus in particular for attempting resort to what he considers a dishonorable expedient in war.

102 Val.Max. 7.3 praef., 4 praef. See the discussion of these passages in Ch. I.

103 Veg. 3.10: "It is the deed of a skillful general to sow causes of discord among the enemy" (*Inter hostes discordiarum serere causas sapientis est ducis*) cf. 3.6, 9, 14, 20. Prudentius, *C. Symm.* 1.36, calls Theodosius the Great a *dux sapiens*, but the phrase does not have a rusé nuance in this case.

104 Tac., *Ann.* 2.64.2; Cic., *Verr.* 2.5.25 cf. *Off.* 1.108.

passage is strengthened by references to Diognetus' *sollertia* and *consilia.*[105]

Perhaps Romans thought other words expressed the concept of stratagem better than *sapientia* or, since the majority of Latin sources are post-Ciceronian, possibly the philosophical overtones of *sapientia* became too great. The latter view should not be underestimated: Ulysses, who became a hero of Stoic philosophy, would have his original wiliness converted into philosophical *sapientia* by the time of Horace (*Ep.* 1.2.17). A definitive interpretation is not possible. The use of *cognomina* such as Sophus, Sapiens, Cato, and Corculum, however, all essentially synonymous as references to cleverness and shrewdness, are found occasionally but exclusively among prominent Roman generals and magistrates from the late fourth century to the second century B.C. and not at all thereafter, except for Cato which became hereditary for the Porcii. Such *cognomina* attest that to be crafty and clever could be a mark of honor among Romans—at least until the second century B.C.[106]

Other rusé words for mental faculties are not so problematic as *sapientia. Prudentia* (prudence, knowledge, sagacity) often appears as a colloquial synonym for *sapientia* and is closely associated with *consilium.* As the Latin equivalent of Greek *phronesis*, several Roman writers define it in a philosophical context as the discernment of good and evil.[107] Its components were thought to be memory, intelligence, foresight, and experience.[108] In contrast to *phronesis* and *sapientia*, however, *prudentia* is a learned skill (*calliditas*), reflecting the fruit of study and experience.[109]

Etymologically, *prudentia* is related to *providentia*—the foresight required of a statesman or a general permitting him to predict the future and to take precautions accordingly.[110] Scipio Africanus' prudent formation (*prudens ordinatio*) against Hannibal's elephants at Zama in 202 B.C. was the stratagem which won the battle (Front., *Strat.* 2.3.16). As a word for stratagem, however, *prudentia*'s sense as "sagacity" or "knowledge gained by experience" seems more frequent. In 310 B.C. Fabius Caeso performed sagaciously (*prudenter*) his espionage in Umbria, which won

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105 Vitr., *De arch.* 10.16.7–8: *Itaque Demetrius, cum vidisset sapientia Diogneti se deceptum esse, cum classe sua discessit. Tunc Rhodii Diogneti sollertia liberti bello publice gratias agerunt . . . Ita in repugnatoriis rebus non tantum machinas, sed etiam maxime consilia sunt comparanda.*

106 Combès 327 cf. P. Wuilleumier, Cicero, *Cato Maior*² (Paris 1961) 15–16. I argue elsewhere that interpretation of these *cognomina* as references to legal expertise is invalid and that their bearers are all known to have used stratagems: "*Sapiens* and Stratagems: the Neglected Meaning of a *Cognomen,*" *Historia*, forthcoming.

107 *Prudentia/sapientia*: Klima 28–35; *prudentia/consilium*: Hellegouarc'h 256–58; definitions: Cic., *Inv.Rhet.* 2.160, *Off.* 1.153; Isid., *Orig.* 2.24.6; *Rhet.Her.* 3.3.

108 Cic., *Inv.Rhet.* 2.160; *Rhet.Her.* 3.3.

109 *Rhet.Her.* 3.3; Hellegouarc'h 258. It was Agricola's unusual trait of natural prudence (*naturalis prudentia*) which provided him with *calliditas* and *subtilitas*: Tac., *Agr.* 9.2.

110 Hellegouarc'h 256; Non. p. 60 Lindsay, Cic., *Rep.* 2.45; Veg. 3.9; Isid., *Orig.* 10.201.

over the Camertes to a Roman alliance, while Vegetius records a stratagem (*prudentius consilium*) for subtly separating potential mutineers from the rest of the army.[111] Indeed the power of discernment so often stressed in *prudentia*'s philosophical definitions also applies to practical matters, for *prudentia*'s calculation (*prudentiae ratio*) determines whether an act should be done secretly or openly, by force or persuasion (Cic., *Inv. Rhet.* 1.27, 41).

There can be no doubt that *prudentia*'s tone is positive and a sign of praise when used for enemies. Aulus Hirtius, the continuator of Caesar's *Bellum Gallicum*, compliments the Gauls for plans full of *prudentia* (*BG* 8.8.1). Moreover, whereas Nepos lauds Hannibal for his superiority to all other generals in *prudentia*, Valerius Maximus credits the Romans with outfoxing Hannibal and Hasdrubal in the Metaurus campaign of 207 B.C.: Roman *prudentia* defeated Carthaginian *calliditas*.[112]

Another innate mental faculty, *ingenium* (natural talent, genius), requires little comment. It could be defined as "natural wisdom" (*naturalis sapientia*: Non. p. 506 Lindsay). Often associated with *sollers* and *sollertia*, the innate quality of *ingenium* seemed to many writers an explanation for the astute generalship of tricky barbarians, such as Jugurtha, Arminius, and Julius Civilis.[113] Yet *ingenium* was required of any general and could be an important factor (Liv. 9.17.3). As Ulysses said to Ajax (Ov., *Met.* 13.362), his strength was useful in war, but he needed the *ingenium* found in Ulysses' counsels. A similar view occurs in Sallust (*Cat.* 1.7–2.2), who identified *ingenium* with the Odysseus ethos and rated it superior to force in war. Besides *sollertia, ingenium* also was associated with cunning and *anchinoia*: Eumenes of Cardia according to Nepos (*Eum.* 1.3) excelled the other Diadochi in both *calliditas* and mental quickness (*celeritas ingenii*).

Probably the most frequent word denoting a mental faculty in our second category of occasional words for stratagem is *astus* (dexterity, trick, cunning) with its cognates *astutia* (cleverness, trick, cunning) and *astutus* (shrewd, crafty). *Astus* was thought to derive from Greek *asty* (town), since urban dwellers through their constant intercourse with other people seemed wary and sharp-witted. Christians equated *astutus* with Greek *phronimos*.[114] This family of words appears already in Roman comedy and its association with *dolus* is obvious, although *astus* and *astutia* never became legal terms. Cicero as consul in 63 B.C. countered the tricks (*insi-*

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111 Front., *Strat.* 1.2.2; Veg. 3.4 cf. Tac., *Agr.* 9.2, where *prudentia* and *subtilitas* are also associated.

112 Nep., *Hann.* 1.1; Val.Max. 7.4.4.

113 Sall., *Iug.* 7.7; Vell. 2.118.2; Tac., *Hist.* 4.13.2. Cf. *BAlex.* 3.1.

114 Festus p. 5 Lindsay; Aug., *Ep.* 167.6, *Contra inl.* 4.3, 20 cf. Ev. Matt. 10:16; Carcaterra 155, 157. Cf. Gell. 1.18 and nn. 32–33 for other false etymologies of Latin words from Greek.

diae) of Catiline with *dolus* and *astutiae*.[115] *Astutia* could also appear as a synonym for *vafritia/vaframentum* (trick, cunning): the epitomator of Valerius Maximus, Julius Paris of unknown date, substituted *De astutia* for Valerius' title *Vafre dicta aut facta* (7.3).[116]

It is not clear whether *astus/astutia* is learned or innate. Its frequent association with barbarians and their tricks implies an innate quality, as in *ingenium*'s and *sollertia*'s similar use in this regard, although Tacitus' assertion that barbarians lack the tricks of siegecraft (*astus oppugnationum*) would support an argument for its empiricism.[117] As a general term for stratagem, *astus/astutia* lends itself to a variety of ruses: besides siegecraft, Hannibal's tricks at Cannae were "traps of cleverness" (*astutiae ... laqueis*); the Emperor Tiberius' conduct of foreign relations involved *astus* against client kings as well as Parthians; Fabius Maximus' recapture of Tarentum in 209 B.C. through betrayal was *astus*, while the Goths in 378 employed fake deserters in an *astutum consilium* to capture a town.[118] Furthermore, *astus* offered a means either to rid an army of potentially mutinous units or to sow discord in an opponent's army. The latter occurred during Gallienus' siege of the pretender Aureolus in 268 at Milan. When Aureolus circulated false letters alleging that Gallienus had ordered the execution of his generals, Gallienus was murdered.[119] Thus, to no surprise, *astus* suitably denotes the Odysseus ethos, for the *astutus* can do something bravely without risk.[120]

The last two word families denoting rusé mental faculties both involve adjectives of greater frequency and greater antiquity than their cognate nouns: *versutus* (clever, deceitful) and *vafer* (crafty, subtle). *Versutia* (cleverness, ingenuity, trick) is extremely rare, while *vaframentum* (trick) and *vafritia* (craftiness, cunning) do not occur before Valerius Maximus. Neither of the two word families, although synonyms for *dolus*, became legal terms.[121] *Versutus* belongs to the earliest Latin literature: Livius Andronicus translated *polytropos*, Homer's epithet for Odysseus, as *versutus*,

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115 Carcaterra 34, 38 n. 22; Cic., *Off.* 3.68; Sall., *Cat.* 26.1-2 cf. Sen., *Phaed.* 153.

116 For what little is known of Julius Paris see Kappelmacher, "Iulius 378," *RE* 10 (1918) 686-89.

117 Barbarian trait: Val.Max. 7.4 ex. 2 (Hannibal); Tac., *Ann.* 2.20.1 (Germans), 13.38.3 (Tiridates); Flor. 1.33.13 (Olyndicus the Celtiberian); Amm. 17.13.27 (Limigantes), 24.1.13 (Persians), 27.12.14 (Sapor II), 31.15.7 (Goths); siegecraft: Tac., *Ann.* 12.45.4.

118 Hannibal: Val.Max. 7.4 ex. 2; Tiberius: Tac., *Ann.* 2.64.3, 6.32.1 cf. 6.64.2 (*sapientia*); Fabius: Liv. 27.20.9; Goths: Amm. 31.15.7.

119 Avoid mutiny: Tac., *Hist.* 2.28.1; sow discord: Aur.Vict., *Caes.* 30.20-21. Cf. Veg. 4.27: *astus* associated with a different kind of stratagem to capture a town.

120 Liv. 27.20.9, 42.47.5; Sil., *Pun.* 5.100; Isid., *Orig.* 10.6.

121 Carcaterra 34-35, 39 n. 22; *versutia* appears once in the *Theodosian Code*, but is lacking in the *Digest* and the *Justinianic Code*.

and the late mythographer of unknown date Hyginus justified Ulysses' association with this adjective through his story of Sisyphus' paternity of the hero.[122] The adjective derives from *vertere* (to turn), as Isidore recognized, who defined the *versutus* as the man who "turns his mind quickly," thus implying a connection with *anchinoia*.[123] The Odyssean trait of *versutus* took its proper place in the stratagemic vocabulary among other adjectives of cleverness, such as *callidus, astutus*, and *vafer*, as well as adjectives of deceit, *fallax* and *malitiosus* (Cic., *Off.* 3.57). *Versutus* characterized the Germans luring Quinctilius Varus to his doom at the Teutoburg Forest in 9, and that craftiest of Spartans Lysander earned the superlative *versutissimus*.[124] Livy (42.47.7), offering the only occurrence of the noun before the second century, describes Carthaginian stratagems as *versutiae Punicae*.

Vafer does not appear before Cicero and its two derivative nouns are with one exception (Sen., *Ep.* 49.7) found only in Valerius Maximus. Its rusé sense could find no better evidence than in reference to Hannibal's crafty habits (*vafri mores*).[125] *Vafritia*, used to characterize the anecdotes of Valerius 7.3 and taking its essence from deceit (*fallacia*), occupies the middle ground between the anecdotes of *sapientia* and those of *strategemata*.[126] As demonstrated earlier, the anecdotes of *vafritia* differ from Valerius' *strategemata* only in that all the latter but only some of the former are military. This holds true in Valerius' employment of *vaframentum* to designate two stratagems and one political rusé.[127]

b) Deceit

The second group of words only occasionally used for stratagem involves terms for deceit: *fallacia/fallax/fallere, decipere, malitia/malitiosus, error, simulatio, dissimulatio*, and *mendacium*. As synonyms for *dolus* and *fraus*, they require only a brief summation of their meanings, nuances, and use.

According to Varro the family of *fallere* (to deceive, to cheat), *fallacia* (deceit, trick), and *fallax* (deceptive) derives from *fari* (to speak), and any use of these words to express non-verbal deceit is only a transferred sense of their proper meaning.[128] Nevertheless, forms of verbal deceit actually constitute only a fraction of this word family's appearances as stratagem.

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122 Stanford 129; Hyg., *Fab.* 201.
123 Isid., *Orig.* 10.41: *versutum, ab eo quod animum cito vertat.*
124 Vell. 2.118.1 cf. 102.1; Cic., *Off.* 1.109 cf. 108.
125 Val.Max. 7.3 ex. 8 cf. Front., *Strat.* 1.8.2.
126 See Ch. I n. 46.
127 Stratagems: Val.Max. 7.3 ex. 4, ex. 7; ruse: 7.3 ex. 2.
128 Varro, *Ling.* 6.55; Isid., *Orig.* 10.105.

One may break faith (*fidem fallere*), break a truce (*de indutiis fallendo*), or perpetrate a sophistic interpretation of an oath (*fallax reditus*).[129] On the whole, however, Varro's verbal emphasis is as false as his etymology.

The appearance of this word family in Roman comedy attests its antiquity and to some extent it later became part of Roman legal terminology, although seven of *fallacia*'s ten occurrences in the *Digest* belong to Ulpian.[130] Indeed *fallacia* and *fallere* appear in Labeo's definition of *dolus malus*.[131] Yet any transfer of a technical legal sense is negligible, for *fallacia* and its cognates occur either as the deceit composing part of a stratagem or as synonym for *strategema*.[132]

A more important question is whether *fallere* possesses a more neutral or positive sense than its apparent synonym *decipere* (to entrap, beguile, deceive, cheat). Aelius Donatus raises the issue in a paraphrase of Lucretius, stating that "the sick are deceived by doctors but not cheated" when an unwilling patient is tricked into taking a drug.[133] The basic meaning of *decipere* is "to entrap," from which the noun *decipula* (snare, trap) derives,[134] but frequently it appears in stratagems simply in its sense as "to deceive."[135] At other times, when the result of a stratagem receives emphasis, its meaning as "to cheat" is clear. To win by cheating is of course an idea closely related to the concept of stealing a victory expressed by *klope* and its cognates as well as by *furtum*.[136] If Donatus' distinction of *falli* from *decipi* is compared to Labeo's definition of *dolus malus*, a similar distinction is found: *decipiendum* as the last element of a series including *circumveniendum* and *fallendum*. Labeo implies three degrees of trickery in ascending order: circumvention, deception, and cheating.[137] Thus Labeo would support Donatus' distinction of *falli* from *decipi* and *fallere* would have a more neutral tone in comparison to *decipere*.

In contrast to *fallere* and *decipere*, *error* (wandering, mistake, delusion) re-

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129 Cic., *Off.* 1.39; Caes., *BG* 4.13.5; Liv. 22.61.4.

130 Cic., *Nat.D.* 3.73; Carcaterra 38 n. 22.

131 See n. 46 *supra*. Carcaterra interprets *fallacia* in Labeo as "the false" or "lie" rather than "deception" or "cunning," although his view for *fallere* as "to cause to fall into error" may be more convincing: 49–53.

132 Deceit: Front., *Strat.* 3.14.1; Val.Max. 7.4 ex. 2; Cato fr. 32, *HRR* I² 65; Liv. 42.47.7; Sall., *Cat.* 11.2; Flor. 1.11.7; stratagem: Front., *Strat.* 3.3.6; Liv. 22.16.7.

133 Donat. *ad* Ter., *Eun.* 515 = 3.3.9: *a medentibus falli aegros, non tamen decipi.* Cf. Lucr. 4.11–16; *CIL* VIII 2297.

134 Cf. Liv. 22.4.4 on Hannibal's ambush at Trasimene: *ab tergo ac super caput deceptae insidiae* (From the rear and over head ambushes entrapped them), and Front., *Strat.* 2.5.40.

135 E.g., Val.Max. 7.4.4; Front., *Strat.* 1.4.10, 2.9.9, 3.2.9.

136 Vitr., *De arch.* 10.16.7; Val.Max. 7.4 ex. 2.

137 Text in n. 46 *supra*. Carcaterra, 53–54, argues a meaning of "to seduce" for Labeo's *decipere*, but this view, based on poetic usage, forms part of his erroneous larger argument of three asyndeta in Labeo's definition. See n. 50 *supra*.

presents deceit of an entirely different tone. Instead of cheating or breaking faith, *error* offers the more sophisticated concept of deluding the enemy through creating illusion. Vergil calls the Trojan Horse an *error* and many stratagems characterized by this word involve deceiving the enemy through disguises.[138] Yet the tone of the word is so positive that even Livy can use it to describe Roman stratagems. Fabius Maximus Rullianus' *salubre mendacium* at Tifernum in 297 B.C., prepared by Scipio Barbatus' envelopment of the Samnite army, was an *error utilis* (an expedient delusion). Likewise, when Claudius Nero in 207 B.C. secretly slipped away from Hannibal in Lucania during the Metaurus campaign and left Hannibal with the impression that he was still there, he perpetrated an *error*. A similar stratagem was a favorite of Cato's deceitful Ligurians, who would leave behind cattle when they abandoned a camp in the presence of enemies. The mooing would convince the enemy that the Ligurians were still in place.[139]

The history of *malitia*'s use for "deception" should in some ways be compared to that of *sapientia* for "stratagem": its early rusé nuance was later obscured by its acquisition of strong moral overtones and by Roman preference for other words. In the Late Republic the antonyms *malitia* and *virtus* refer to "wickedness" and "virtue" respectively (Sall., *Iug.* 22.2), whereas in an earlier day, serving to contrast the Achilles and Odysseus ethos, they would have represented "cunning" and "courage." This early rusé sense appears in Cicero's definition of *malitia*: "a cunning and deceitful method of injuring."[140] Indeed prior to Aquilius Gallus' definition of *dolus*, orators preferred *fraus* or *malitia* to express deceit, and Plautus and Terence often employed *malitia* as "deception" in their comedies. Quite significantly, Cicero characterizes the new judicial action on *dolus*, associated with Aquilius Gallus, not in terms of *dolus* but as *malitia*: it was a "dragnet of all deceptions."[141] Thus the anonymous rhetorician's description of Carthage as *dolis malitiosa* must be "crafty with tricks," and Cicero's description of sophistic interpretation (*nimis callida, sed malitiosa iuris interpretatione*) is "an excessively cunning but deceitful interpretation of law."[142]

Simulatio (pretense, feint, deceit) and *dissimulatio* (concealing, disguising) constitute part of the very core of the idea of stratagem. What to

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138 Liv. 22.1.3; Front., *Strat.* 3.2.4, 9, 11.

139 Romans: Liv. 10.14.20 (cf. Front., *Strat.* 2.4.2), 27.44.3; Ligurians: Front., *Strat.* 1.5.26 cf. Cato fr. 32, *HRR* I^2 65.

140 Cic., *Nat.D.* 3.75: *est enim malitia versuta et fallax ratio nocendi.*

141 Carcaterra 36 n. 16a, 37–38; Cic., *Nat.D.* 3.74: *everriculum malitiarum omnium.* On Aquilius Gallus cf. n. 43 *supra.*

142 *Rhet.Her.* 4.66; Cic., *Off* 1.33.

show and what to hide are basic elements in modern theories of deception. Indeed *simulatio* has already been encountered twice: first, in Aquilius Gallus' and Sulpicius Rufus' definitions of *dolus malus*; and second, in Livy's indirect definition of *strategema*, referring to Tullus Hostilius' *salubre mendacium* (1.28.5): *consilium et simulatio imperii*. The subsequent Roman preference for *dolus* probably accounts for *simulatio*'s rarity as a legal term and much the same could be said for its use as stratagem.[143]

Simulatio, and especially its cognate verb *simulare*, however, do appear in expressions for perfidious behavior involving procedures of international law. Vegetius (3.3) warns that garrison troops composed of provincials are particularly gullible to an enemy's tricks and lies, and that a credible pretense (*simulatio credulis*) of commerce or of peace has more often brought injury than attack. A treaty could be feigned (*simulatum foedus*), such as Phalaris of Agrigentum's capture of some Sicilian cities after a treaty gave them a false sense of security. The Romans under Carthaginian siege at Tarentum during the Second Punic War first offered surrender of the citadel, if their troops were granted safe conduct through the Carthaginian lines, then used this pretense (*simulatio*) of ending the siege to launch a surprise sally. Caesar reproached the treachery and *simulatio* of the German Ubii, who attacked during a truce, and Caesar's legate Titus Labienus devised the pretense of a conference (*simulatio colloquii*) as a means to assassinate a Gallic chieftain.[144]

Simulatio's other frequent use involves pretended retirement from a siege, often in combination with an ambush or an unexpected return. Frontinus devoted a chapter to these stratagems (*De simulatione regressus*), which can be supplemented by examples from other sources.[145] If a pretended retirement is seen as creation of an illusion, then various other stratagems, such as a feigned retreat in battle and a strategic feint, to specify only a few examples, can be classified under this idea.[146]

Dissimulatio, never a legal term, defies precise classification of its usage. Frontinus entitled a chapter "On Concealing Reverses" (*De dissimulandis adversis*), but otherwise the stratagems described by this word and its cog-

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143 Nn. 44, 46 *supra*; Carcaterra 38 n. 22.

144 Treaty: Front., *Strat.* 3.4.6; safe conduct: 3.17.3; truce: Caes., *BG* 4.13.4; conference: Hirt., *BG* 8.23.3-5 cf. Val.Max. 9.6.3.

145 Front., *Strat.* 3.11 (On feigning retirement), 3.6.4; Veg. 4.26; Val.Max. 7.4.5: the same kind of stratagem, although Valerius terms it *dissimulatio*, emphasizing the concealment of the real plan.

146 Front., *Strat.* 1.8.12, 2.3.20, 3.8.2; Caes., *BG* 5.50-51, *BC* 3.38.1; Curt. 8.13.19; Vell. 2.118.1.

nates are too varied to permit identification of a specific type of stratagem with the word.[147]

The anonymous rhetorician writing for Herennius (3.3) includes *dissimulatio* as a component of *dolus*, under which he also lists *mentitio* (lying, deception). The word family of *mentitio, mentiri* (to lie, cheat, deceive, feign), *mendacium* (lie), and *mendax* (lying, deceptive), is the final group of synonyms for deceit to merit discussion. *Mentiri* and its cognates represent the Latin equivalents of the Greek *pseudos* family, although the Latin nouns and adjectives clearly denote "lie" in contrast to the Greek subtleties of *pseudos*, i.e., "deceit" or "the false" but not necessarily "lie." Only the verb *mentiri* seems to approximate the Greek usage: the Trojan Horse is an *equo mentito*; one general feigns (*mentitus*) the presence of his army to the enemy; and barbarians deceive (*mentiti*) a Roman general by their flight.[148] Indeed *simulare*, not *mentiri*, often assumes in Latin the function of a Greek "*pseudo*-word": e.g., a fake deserter may be a *simulatus transfuga* in Latin and a *pseudautomolos* in Greek.[149]

Tricky barbarians, such as Carthaginians, Ligurians, Germans, and Parthians, of course earned association with *mendax* and *mendacium*.[150] Otherwise, however, *mendacium* does not often occur as stratagem. The one exception is the beneficial lie, *salubre mendacium*, employed to bolster morale, to inspire panic in the enemy, and for other reasons, but even in this type of stratagem *mendacium* merely characterizes the concept and the word itself usually is omitted from the narratives of these anecdotes.[151]

The Latin stratagemic vocabulary, as argued here, is a specialized body of words, interacting but not identical with all legal terms-for fraud and deceit. This point becomes clear with examination of six other words for trickery: *fraudatio, fucus, circumscriptio, tergiversatio, machinatio*, and *circumventio*. *Fraudatio* (cheating, deceit, fraud) and *circumscriptio* (deceit, cheating, circumvention) have only a very limited use as legal terms and never appear as stratagem, while *fucus* (pretense, disguise, deceit) is neither a legal nor a stratagemic word.[152] *Machinatio* (contrivance, machine, trick), a Latin equivalent for Greek *mechane* and a component of Labeo's definition of *dolus malus*, likewise makes no appearance as stratagem.[153] In con-

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147 Front., *Strat.* 2.7; 1.1.5, 9.4; 2.11.4; Veg. 3.11; Val.Max. 7.4.4–5.

148 Hor., *Carm.* 4.6.13–14; Val.Max. 7.4.4; Front., *Strat.* 3.10.7 cf. 3.16.5.

149 [Aur. Vict.], *De vir. ill.* 30.2 cf. Ch. II n. 73.

150 Carthaginians: Cic., *Div.* 2.146, *Leg.Agr.* 2.95; Ligurians: Cato fr. 31, *HRR* I² 64; Germans: Vell. 2.118.1; Parthians: Hor., *Ep.* 2.1.112. Cf. Front., *Strat.* 3.10.7: Scordisci.

151 Cf. Ch. I n. 41.

152 Carcaterra 38 n. 22.

153 Labeo in n. 46 *supra*; Carcaterra 38 n. 22, 53. Carcaterra's argument, based on

trast, *tergiversatio* (subterfuge, refusing) does occur once in a stratagem of Themistocles (Front., *Strat.* 1.1.10), but lacks any legal nuance.

Yet of all these six words only a real case for inclusion in the stratagemic vocabulary can be made for *circumventio* (circumvention, defrauding), or, more precisely, for its verb *circumvenire,* a standard term for "to outflank" or "to envelop." Apart from this technical military sense of the word, which must be discussed below with other terms for specific stratagems, its occurrence as stratagem is rare. As a legal term it is also infrequent, although Labeo includes it in his definition of *dolus malus*, and Fabius Maximus seems to use a legal expression when he warns Scipio against trusting Numidians: his father and uncle, killed in Spain, were circumvented by deceit (*fraude circumvenerunt*), before they suffered defeat in arms. Similarly, Valerius Maximus complains of Roman courage circumvented (*circumventae virtutis*) by Hannibal's tricks at Cannae.[154]

c) Sport

Just as in the Greek stratagemic vocabulary, sport also exerts a slight influence on the Latin. Three words merit some discussion: *laqueus, praestigiae,* and *ludificari. Laqueus* denotes the snare, lasso, or trap of a hunter. In siegecraft *laqueus* represents a counter-stratagem to the battering-ram and the siege-hook, which defenders could catch in a noose and disable.[155] The term also could assume a generic sense as trick, such as Hannibal's *astutiae laquei* at Cannae or Vegetius' reference to the vulnerability of cataphracts to *laquei.*[156] *Praestigiae* (deceptions, tricks, illusions) literally means "the tricks of a juggler" (*praestigiator*). In theory it would be a perfect word for the subtleties of stratagem, but it never really became part of the stratagemic vocabulary. *Praestigiae* is primarily used for verbal trickery, and its only claim to consideration here at all derives from its appearance in Valerius Maximus to designate a sophistic interpretation.[157]

In contrast, the case is strong for *ludificari* (to make sport of, frustrate by tricks, deceive) and its cognates, which symbolize one party teasing another through superior skill or stratagem. Fabius Maximus' successful

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Vitr., *De arch.* 10 praef. 3, that *machinatio* is a more specific term than *machina* and denotes an elaborate measure for setting up an artifice does not convince.

154 Labeo in n. 46 *supra*; Carcaterra 38 n. 22, 41–44; Liv. 28.42.8; Val.Max. 7.4 ex. 2 cf. 7.3.4, Sall., *Iug.* 106.6. Carcaterra argues that *circumvenire* in Labeo's definition means "taking advantage of another's ignorance or error not created by a second party."

155 Caes., *BG* 7.22.2; Veg. 4.23.

156 Val.Max. 7.4 ex. 2; Veg. 3.23. Vegetius' use of *laqueus* in this passage is ambiguous: the term could also refer to lassoing cataphracts, a common practice of the Alani and the Huns: Jos., *BJ* 7.249–51; Amm. 31.2.9.

157 Val.Max. 7.3.4 cf. Jul.Val., *Res Gest. Alex.M.* 1.50: the ambiguity of a prophecy.

strategy of delay against Hannibal was *ludificatio* and Archimedes made a laughingstock of Roman efforts to besiege Syracuse through his ingenuity at devising siege machines. Similarly, the praetor of 207 B.C. L. Porcius Licinus thwarted the advances of Hasdrubal in northern Italy by all the arts of war (*ludificatus hostem omnibus artibus belli*).[158] Moreover, *ludificari* and its cognates characterize the teasing of "hit-and-run" tactics common to barbarians and guerilla warfare, in which the weaker force refusing to join in pitched battle with the stronger continually causes its opponent's frustration.[159] Romans, however, could also use such tactics as bait for a trap, such as in L. Caecilius Metellus' stratagem against the Carthaginian elephants at Panormus in 250 B.C. (Front., *Strat.* 2.5.4).

d) Moral Reproach

Apart from words denoting specific rusé functions or ideas and, superficially at least, appearing to have a negative tone, *facinus* (deed, crime, villainy) and *scelus* (evil deed, crime, wickedness) occasionally are associated with stratagem, although signifying nothing other than moral reproach. The same can be said regarding *facinus* and *scelus* in legal texts: these two words do not denote specific acts; they only designate an act as a crime.[160] Frontinus never characterizes a stratagem as *scelus*, while *facinus* occurs only twice, in both cases referring to attempts to assassinate a general—the only instances in which Frontinus passes moral judgement on a stratagem.[161] Valerius Maximus terms Servius Galba's perfidious massacre of the Lusitanians in 150 B.C. a *facinus*.[162] *Scelus* may also occur for assassination, for acts thought perfidious, and for acts seen as violations of international law, such as the use of poisoned weapons or the murder of legates.[163]

3. Specific Stratagems

The final category of the Latin vocabulary involves words used for specific stratagems. Indeed, one of these, *insidiae*, is so frequent that it could

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158 Fabius: Liv. 22.18.9; Val.Max. 7.3 ex. 8; Archimedes: Liv. 24.34.2; Licinus: Liv. 27.46.6.

159 Sall., *Iug.* 50.4; Tac., *Ann.* 3.21.6; Amm. 17.13.23, 24.1.13.

160 Carcaterra 38 n. 22.

161 Front., *Strat.* 2.5.30, 4.4.2.

162 Val.Max. 9.6.2. Valerius (9.6 ex. 1) also calls the Carthaginians' murder of Xanthippus, their Spartan drillmaster, a *facinus*, but this act is not a stratagem.

163 Assassination: Cic., *Off.* 1.40; Val.Max. 9.6.4; *perfidia*: Sall., *Iug.* 107.2; Liv. 40.39.9 cf. Val.Max. 9.6 praef.; violations of international law: Liv. 4.32.5; Plin., *HN* 11.279.

have been included in the category of most common words. As in examination of the Greek vocabulary, the chief question is to what extent, if any, a technical Latin vocabulary for stratagem existed, i.e., the terms of specialists not necessarily current in literature for a general audience. Once again, five groups of specific stratagems are discerned: surprise attack, ambush, feigned retreat, treason, and breaking or circumvention of agreements.

In Latin surprise attack may be expressed in a number of ways. Just as Greek *klope*, Latin *furtum* can signify a surprise attack by night, while *epidrome* as "raid" or "sudden inroad" finds its Latin equivalent in *incursio repentina* or *subita*. A surprise attack in the sense of outflanking or enveloping is *circumvenire* (to go around).[164] Most frequently, however, Latin authors, like their Greek counterparts, signaled the concept of surprise attack by an adverbial expression: the attack occurred suddenly (*repente*) or unexpectedly (*ex* or *de improviso*, or *inopinato*).[165] The technicalities of sieges lead Frontinus to offer some distinctions of vocabulary for concepts to which he devotes individual chapters: *repentinus impetus* is a general surprise attack on a town (*coup de main*); a surprise assault on a city from an unexpected direction, often during a siege, is called an *inruptio* (literally, a breaking in), while the surprise sally of defenders against their besiegers is an *eruptio* (a breaking out). Caesar, in comparison, calls a general surprise attack against a town *repentina oppugnatio*. Both the Caesarian and the Frontinian expressions are found in Livy, although he also uses *repentinus impetus* for *eruptio*.[166] None of these words appear to be technical terms and discrepancies between Frontinus, Caesar, and Livy even speak against a standard Roman military vocabulary for surprise attack in the Late Republican and Early Imperial periods.

If, as noted earlier, Greek did not develop a true generic word for surprise attack before the early Byzantine period, Latin can be said to have anticipated this development by at least a century.[167] In the late first and second centuries *obrepere* (to creep up, to surprise, to cheat) and its noun *obreptio* (surprise) enjoyed some vogue as "surprise attack": Frontinus once uses *obreptio* for a tactical surprise attack, and Florus reproaches

164 *Furtum*: n. 75 *supra; incursio*: Hirt., *BG* 8.11.2, Liv. 7.15.11, Veg. 3.18; *circumvenire*: Caes., *BG* 1.25.6; Liv. 10.26.9; *Sall.*, *Iug.* 97.5; Veg. 3.6, 18, 20; G. Bendz, *Index verborum Frontinianus* (Lund 1939) 20; *circumire*: Caes., *BC* 3.93.4; Liv. 36.16.7, 37.42.6; Veg. 3.18. Other variants are: *circumdare* (to surround), *circumducere* (to lead around), and *circumfundere* (to surround).

165 *Repente*: Caes. *BG* 2.33.2, 5.17.2; *improviso*: Caes., *BG* 5.22.1, 39.1; 6.3.1; *inopinato*: Liv. 26.6.9 cf. Front., *Strat.* 3.1.2.

166 Front., *Strat.* 3.1, 9, 17; Caes., *BC* 3.80.5; Liv. 2.10.3; 4.46.5; 41.14.2, 26.1.

167 Cf. Ch. II n. 83.

Marcus Antonius for strategic surprise (*obrepere*) in launching his Parthian campaign in 36 B.C. without a declaration of war.[168] Yet this word family is totally lacking in the Caesarian corpus as well as in Livy and Tacitus, and later authors of military repute, such as Ammianus and Vegetius, ignore it. *Obreptio* is not the word we seek.

Nevertheless, *supervenire* (to arrive, to fall upon) acquired the sense of "to surprise" by the third century, if not earlier, and its noun *superventus* definitely appears as "surprise attack" in the fourth century. Although this development for the verb is perhaps anticipated in the late first century by a line in Statius (*Achil.* 1.148), Justin offers the first secure evidence in prose: "The defeated Neoptolemus fled to Antipater and Polyperchon and persuaded them that by forced marches they should surprise (*superveniant*) Eumenes, happy from victory and secure because of his own flight."[169] In the fourth century Aelius Donatus offers a definition in his commentary on Terence: " 'the man intervened unexpectedly.' To intervene in the middle of an affair is as if to surprise from ambush (*ex insidiis supervenire*) and to attack in the very act those who wanted the matter kept secret."[170] Ammianus twice uses *supervenire* as "to surprise": once to indicate the surprise attack on a town, and once in the context of an *eruptio*. For Vegetius, however, *superventus* and *supervenire* chiefly refer to surprise attacks on a field army, although in one passage he speaks of surprise attacks by night on a city (*nocturnos superventus*) and in another he discusses naval surprise attacks.[171] Just as other stratagemic words may also refer to thievery and raiding, *superventus* in medieval Latin came to mean "brigandage" or "surprise raid."[172]

More significantly, the emergence of a Latin generic term for suprise attack is reflected in a contemporary practical development. Units called *superventores* appear in the Roman army from at least the middle of the fourth century. They belonged both to the stationary border troops (*limitanei*) and to the *pseudocomitatenses*, units originally belonging to the *limitanei* but transferred to the *comitatenses*, the mobile field armies, although retaining their lower pay and status.[173] As *limitanei*, the *superventores* served

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168 Front., *Strat.* 2.5.36; Flor. 2.20.2–3.

169 Just. 13.8.5: *Victus Neoptolemus ad Antipatrum et Polyperconta profugit eisque persuadet, ut continuatis mansionibus laeto ex victoria et securo fuga sua Eumeni superveniant.*

170 Donat. *ad* Ter., *Ad.* 406 = 3.3.52: "*intervenit homo de improviso.*" *intervenire est in medio negotio quasi ex insidiis supervenire et opprimere in ipso actu eos, qui rem celatam vellant.*

171 Amm. 18.6.8, 19.6.7; Veg. 1.21; 3.6 (four occurrences), 7, 8, 10, 22 (four occurrences); 4.26 (night attacks cf. 1.21, 3.10), 45 (naval attacks). In 3.6 Vegetius refers to "an attack of surprise" (*superventus impetu*) and in 3.22 he writes "to surprise through deceit" (*supervenire per fraudem*).

172 See Niermeyer/van de Kieft s.v. *superventus*.

173 For this interpretation of the *pseudocomitatenses* see Hoffmann, I, 405–408.

under a *praefectus* and are attested in northwest Gaul, Britain, and the lower Danube, while as *pseudocomitatenses* they served in Gaul under the *magister peditum praesentalis*. The status of a unit in northern Mesopotamia is uncertain.[174] It is assumed that the *superventores* took their name from their function, just as other units did (e.g., *exploratores, vigiles*), and in which case the *superventores* would have been specialists in surprise attacks and unconventional operations. Ammianus records a unit of *superventores* at the siege of Amida in 359, whose earlier performance at the Persian siege of Singara in 344 illustrates one aspect of their duties. They executed a nocturnal *eruptio* from the town and killed many Persians in their sleep.[175]

Ambush in Latin is expressed by two word families: first, *subsidere* (to sit down, lie in wait for) and its derivative noun *subsessa* (ambush); and second, more frequently, *insidiari* (to lie in wait for, plot against) and *insidiae* (ambush, trap, treacherous devise, plot), both of which derive from *insidere* (to sit upon, occupy).[176] In both word families the Latin terms convey the same idea as in their Greek counterpart *enedra*, i.e., "sitting in wait." *Subsidere* is found already in Plautus and its use for "to ambush" is confirmed by Cicero and Livy. Servius even argues that *subsidere* means "to occupy by trick (*dolo*)."[177] In contrast to *subsidere*'s antiquity, its noun *subsessa* belongs exclusively to late sources. Vegetius often couples it with *insidiae* without permitting a distinction of meaning between the two words to be made. A *subsessa* could be identified with either *fraus* or *dolus*.[178]

Frontinus devotes the longest chapter of the *Strategemata* to *insidiae*, but only twenty-six of the forty-seven anecdotes involve ambush.[179] In truth *insidiae* is much more a generic term for stratagem than often thought. Although the antiquity of *insidiae* is attested by Roman comedy, its vagueness rendered it unsuitable for legal texts, in which it only occasionally appears for cheating and fraud. Similarly, it has been argued that *insidiari*

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174 *Pseudocomitatenses: Not.Dig. occ.* 5.120, 270; 7.26; *limitanei: occ.* 37.38, 40.31; *or.* 39.21; uncertain: Amm. 18.9.3; Hoffmann, I, 185, 225, 337, 350.

175 Amm. 18.9.3; de Jonge 291–94; Hoffmann, I, 185.

176 Cf. Varro, *Ling.* 5.90: "Likewise *insidiae* comes from sitting in wait, since they did this so that they might more easily diminish the enemy" (*Insidiae item ab insidendo, cum id ideo facerent, quo facilius deminuerent hostis*), and Isid., *Orig.* 10.151: "strictly, to sit in wait is to await someone treacherously, whence also *insidiae* have been named" (*proprie insidere est dolose aliquam expectare. Unde et insidiae nominatae sunt*).

177 Varro, *Ling.* 5.89; Cic., *Mil.* 49–51 (non-military situation); Liv. 1.14.7; Serv. *ad Aen.* 11.268 cf. *ad* 5.498.

178 Veg. 3.6 (*fraude subsessae* and two other occurrences), 22 (three occurrences); Serv. *ad Aen.* 11.268: "they are called *subsessores* who conceal themselves intending to kill someone" (*subsessores vocantur, qui occisuri aliquem delitescunt*).

179 Ambush: 2.5.1–2, 5–8, 10, 15–16, 18–20, 22–24, 29, 31–35, 37–40, 42, 44.

appears only in post-classical legal texts as a vague expression for "to put in danger," but it lacks specificity of how someone is put in danger.[180] Indeed *insidiari* in historical texts often means "to lie in wait for" in the sense of "to plot against," especially regarding assassination or murder. *Insidiari* thus serves as the Latin equivalent of Greek *epibouleuein*, and *insidiae* and *insidiatores* frequently refer to "assassination" and "assassins."[181]

Before turning to the complexities of ambush in Frontinus' chapter *De insidiis*, the variety of stratagems denoted by *insidiae* should be examined in other sources. *Insidiae* as "ambush" is associated with both *dolus* and *fraus*,[182] but the equation with *fraus* also involves quite different activities. Besides assassination, there is mining. For Vegetius undermining a city's walls during a siege is a *fraus* consisting of two *insidiae*: a commander can choose either to kill the enemy in his sleep or to destroy his walls.[183] *Insidiae* could also be equated with night attacks (*furta*) or with surprise attack (*supervenire*).[184] The attacks of pirates are *piratarum insidiae*, just as the naval ambush of a fleet in a narrows is called *insidiae*. Furthermore, *insidiae* refer both to stratagems against besiegers and to those against the besieged, and in this view Vergil's designation of the Trojan Horse as *insidiae* should not seem peculiar.[185]

If ambush seems a simple idea, i.e., lying in wait to attack the enemy unawares, Frontinus' chapter on *insidiae* shatters this illusion, for only one anecdote relates a simple ambush and only twenty-six of the forty-seven involve ambush at all.[186] Armies do not fall into ambush of their own accord, unless excessive negligence can be charged. Usually they must be lured. Ambush thus often forms only part of a more complex stratagem. Feigned retreat was perhaps the favorite technique of luring, but the same result could be attained by deceiving the enemy through disguised personnel, fake deserters, false rumors, provocative acts, deceptive maneuvers, and conditioning the enemy to expect a certain pattern of behavior.[187]

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180 Carcaterra 35, 38 n. 22; Berger, *EDRL*, 503; A. Guarino, "'Insidiari' in testi guiridici," *SDHI* 5 (1939) 457–67.

181 To ambush: Aug., *In Hept.* 6.10 (ad Jo. 8:2), *PL* 34, 780–81; plot against/assassinate: Valerius Antias fr. 21, *HRR* I² 247 = Gell. 3.8.3; Nep., *Dat.* 9.1–5, 10.3; Liv. 3.43.4, 42.47.7; Curt. 7.5.22; 9.6.24, 7.4–5; Front., *Strat.* 2.5.30; Tac., *Hist.* 3.68.1; Flor. 1.33.17.

182 *Dolus*: Flor. 1.45.8; Caes., *BG* 1.13.6; *BAfr.* 73.1–2; *fraus*: Liv. 9.31.15–16.

183 Assassination: Curt. 9.6.24; mining: Veg. 4.25.

184 *Furta*: Serv. *ad Aen.* 11.515; Front., *Strat.* 2.5.31 cf. Liv. 42.47.5; *supervenire*: Just. 13.8.5–6.

185 Naval *insidiae*: *Dig.* 13.6.18; Veg. 4.45; sieges: Veg. 4.27–28; Verg., *Aen.* 2.36.

186 Front., *Strat.* 2.5.39 and n. 170 *supra*.

187 Feigned retreat: Front., *Strat.* 2.5.1–2, 5–8, 23–24, 32–35, 37, 40, 44; disguise: 2.5.10, 15; deserters: 2.5.18; false rumors: 2.5.19–20; provocation: 2.5.22, 29; maneuver: 2.5.38, 42; conditioning: 2.5.16, 31.

Frontinus' remaining twenty-one exempla in this chapter, however, are not true ambushes, nor can they be classified under a single idea. Some relate various kinds of surprise attack; some involve creating illusions for the enemy; some recount attacks on the enemy's rear or from an unexpected direction, while others are merely tricks. The great diversity of stratagems represented by *insidiae* and the word's lack of a strong legal flavor probably explain why Vergil (*Aen.* 12.335–36) chose to picture Insidiae as the companion of Mars rather than Dolus or Fraus.

Unlike *superventus* and its offspring the *superventores*, the terms *insidiae* and *insidiatores* were not new in the Late Roman period, but units of *insidiatores* are first attested in the Roman army of the fourth century. They appear only in the west *limitanei* on the middle Danube and in the mobile field army of the *magister equitum Galliarum*, presumably as *pseudocomitatenses*. It can be inferred from their placement under a *magister equitum* that the *insidiatores* were cavalry units, perhaps the mounted counterparts of the *superventores* known only as infantry.[188] If their name derives from their function, as earlier argued for the *superventores*, the problem still remains whether *insidiatores* should be taken as "assassins" or "ambushers." Although Romans had few qualms about disposing of troublesome opponents, it is unlikely that field units would be openly designated for such tasks. Indeed Byzantine sources record cavalry units called *enedrai* deployed on the wings of a battle formation both to counter potential surprise flank attacks and to ambush the enemy's flanks. Conceivably, the *enedrai* are not Byzantine innovations, but rather continuations or adaptations of the Late Roman *insidiatores*.[190]

If the frequency but quite diverse meanings of *insidiae* render it an unlikely technical expression and *subsessa*'s rarity, particularly its absence from all military writers except Vegetius, also eliminates it from consideration, it would appear that ambush in Latin as in Greek was not considered a technical idea. Much the same can be said for the third type of specific stratagem—feigned retreat. Its identification as a stratagem is clear from its association with *dolus, simulatio*, and *calliditas*.[191] One would expect such a simple and common idea to have a single and succinct mode of expression, but the idea, if noted as a trick and not merely permitted to emerge as such from the narrative, most often occurs as *simulata fuga* (feigned flight). Variants, such as *simulatio fugae* (pretense of flight) or *velut*

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[188] *Not.Dig. occ.* 7.107, 33.50. Cf. nn. 173–75 *supra*.

[189] Assassins: *Rhet.Her.* 4.22; Nep., *Dat.* 9.4; Amm. 22.9.16, 27.11.2, 29.5.2; ambushers: Hirt., *BG* 8.18.4; *BAfr.* 66.1; Front., *Strat.* 1.2.8; Veg. 3.6.

[190] See Ps.-Maur., *Strat.* 2.5 Dennis; Leo, *Tact.* 12.34, *PG* 107, 816.

[191] Flor. 1.3.4; Front., *Strat.* 2.3.20.

fugiens (as if fleeing), also are attested.[192] Nevertheless, *simulata fuga* does not exclusively denote "feigned retreat," since it also appears for "pretended desertion." This very common stratagem, too, like feigned retreat, most often occurs without a specific term clearly to designate it a stratagem.[193]

Treason, the fourth class of specific stratagems, embraces a complex of ideas. It should be emphasized once again, however, that treason *per se* is not necessarily a stratagem, although it may involve stratagems and the treason of another can be manipulated for stratagem. *Perduellio*, the oldest Latin word for treason, essentially meant conducting one's self as an enemy of city, since enemies were originally called *perduelles*, a term later replaced by *hostis*.[194] The Twelve Tables defined treason as inciting an enemy or handing over a citizen to an enemy and prescribed capital punishment.[195] As Rome expanded overseas, the word *maiestas* (greatness, dignity, treason) eventually began to replace *perduellio*, i.e., Roman allies and subjects who failed to maintain proper respect for Rome committed treason. In the Late Republic, when treasonous behavior could be more likely found in domestic political turmoil than in cooperation with a foreign enemy, *maiestas* became the predominant word for treason. This internalization of the idea led to the Imperial emphasis on any criticism or act against the Emperor as treason.[196] Despite *maiestas*' supersession of *perduellio* and its inclusion of both foreign and domestic enemies, treason as stratagem can, by my definition, only pertain to *perduellio* in its original sense emphasizing cooperation with non-citizens of Rome. Yet neither *perduellio* nor *maiestas* ever appear as the equivalent of stratagem.

Jurists of the Imperial period commenting on the *lex Iulia maiestatis* give more extensive definitions of treason than that found in the Twelve Tables. Many of the specific acts listed qualify as stratagems. For Ulpian treason consists of betrayal of the city or sites within it, sedition, assassination, waging war against the Roman state, and passing information to the enemy. Cervidius Scaevola lists leading an army into ambush or betraying an army, helping enemies to avoid capture, creating enemies

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192 *Simulata fuga*: Liv. 6.24.4, 42.47.5; Front., *Strat.* 2.5.1, 6, 8, 12, 34, 37; Tac., *Ann.* 2.11.3; Flor. 1.3.4; *simulatio fugae*: Tac., *Ann.* 13.40.5; *velut fugiens*: Front., *Strat.* 2.5.2.

193 *Simulata fuga*: Amm. 31.15.8 cf. the rarities: Val.Max. 7.4 ex. 2 (*simulata transitio*: pretended desertion), Front., *Strat.* 3.16.2; [Aur. Vict.], *De vir. ill.* 30.2 (*simulatus transfuga*: fake deserter): Front., *Strat.* 2.5.18 (*sub specie perfugarum*: under the guise of deserters).

194 Varro, *Ling.* 7.49 cf. 5.3; Festus, p. 91 Lindsay; J.-L. Ferrary, "Les origines de la loi de majesté à Rome," *CRAI* (1983) 557.

195 XII Tab. 9.5 = *Dig.* 48.4.3.

196 On the development of the idea of *maiestas* see Ferrary, *CRAI* (1983) 556–72. Cf. R.A. Bauman, "Maiestatem Populi Romani Comiter Conservanto," in *Essays in honour of Ben Beinart* (Cape Town 1978) I, 19–36.

from friends, and encouraging the king of a foreign nation not to obey Rome, while Hermogenianus gives betrayal of a province or of a city to the enemy.[197]

From the complex of ideas embraced by treason only the vocabulary for the specific acts of bribery, betrayal, and assassination require examination. The connection of bribery and treason, missing in the commentaries of jurists, is made by an anonymous rhetorician: selling one's country is *perduellio*, and indeed he sees bribery (*pecunia*) as a form of *dolus.*[198] Although bribery can be expressed simply by reference to money (*pecunia, pretium*) or reward (*praemiun*), the concept is clearer in use of the verb *corrumpere* (to corrupt, bribe), a favorite word of Sallust to describe Jugurtha's bribery of the Romans and others but commonly appearing in many authors.[199] Jurists in defining treason only seem concerned that betrayal occurs without regard for its cause. The rusé general, however, knows that treason can be induced—hence treason/bribery as stratagem. Frontinus devoted a chapter to means for eliciting the betrayal of cities, and bribery (*corrumpere*) supplies the means in three of the seven anecdotes. Use of this stratagem was so common that an army could be encouraged to fight a numerically superior force by its commander's lie that he had already gained the cooperation of a hostile unit through bribery.[200] Yet *corrumpere*, while providing Latin with an explicit term for bribery in military contexts, which the Greek stratagemic vocabulary lacks, is too common to permit any argument that it might be a technical term.

Similarly, no claim can be made for *proditio* (betrayal), the Latin equivalent of Greek *prodosia.* Neither *proditio* nor its cognate *proditor* (traitor) has a technical nuance.[201] Of some interest, however, is the association of *proditio* with *perfidia* (treachery), a word to be discussed in the next group, the vocabulary of breaking and circumventing agreements. Yet it should also be noted that *proditio* can be used to express the common reproach against stratagem, or what is believed to be stratagem, i.e., the

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[197] *Dig.* 48.4.1.1 (Ulpian), 4.4 (Scaevola), 4.10 (Hermogenianus).

[198] *Rhet.Her.* 4.15: *perduellionibus venditat patriam*, 3.3. Cf. Val.Max. 7.2 ex. 10: Philip II of Macedon as the buyer of Greece rather than its conqueror (*maiore ex parte mercator Graeciae quam victor*), and 9.6.4: Servilius Caepio bought a victory by arranging the murder of Viriathus.

[199] Money/reward: Claud.Quad. fr. 41, *HRR* I² 220 = Gell. 3.8.8 cf. *Rhet.Her.* 2.11; *corrumpere:* Sall., *Iug.* 29.2, 32.3, 34.1, 97.2 cf. Nep., *Lys.* 3.2, *Epam.* 4.3–4; Front., *Strat.* 1.8.8.

[200] Front., *Strat.* 3.3.1, 5, 7 cf. Liv. 27.32.9; lie: Front., *Strat.* 1.8.8 (*corrumpere ad proditionem*).

[201] Liv. 23.39.7, 44.3; 42.47.6; Front., *Strat.* 1.1.16, 11.2; 2.2.13, 14 (Themistocles' *simulata proditio* at Salamis); *Dig.* 48.4.4, 10.

idea of being cheated of victory. Defeat can be blamed not on the enemy's courage but on *proditio* (Tac., *Hist.*, 2.44.3).

Assassination is treason when the subject or colleague of an official commits the murder, but assassination in this case does not constitute a stratagem unless the act occurs at the instigation of a foreign power during a war. Similarly, one general may contrive the assassination of an opposing general or ruler, and this would qualify as a stratagem but not treason, unless the murderer held citizenship in the same state as his victim. The Latin vocabulary for assassination takes no account of these subtleties, and no distinction occurs between words used for assassination and murder in general. *Insidiae, scelus,* and *facinus* all occur for assassination, of which the first may convey a stratagemic nuance, while the last two connote only moral reproach of the act.[202] *Caedes,* a common word for murder, occasionally appears for assassination in the context of a stratagem, but lacks any independent sense of ruse.[203] The same is true for common words for murderer: *sicarius, homicida, interfector,* and *percussor. Parricidium,* however, merits some attention. Commonly used for the murder of one's father or of a relative, *parricidum patriae* is an expression for treason. Yet *parricidum* is used to describe the murder of Darius III of Persia in 330 B.C. not because a king was assassinated, but because his murderer, the satrap Bessus, also belonged to the Achaemenid family and therefore the murder of a relative was involved.[204]

A final group of words for specific stratagems deals with circumventing and breaking agreements. The Romans never developed a specialized vocabulary denoting the circumvention of international agreements, and even words such as *circumscriptio* and *circumventio,* which could be used for this behavior between individuals, are rare in legal texts and non-existent in the context of stratagem. Moreover, while general stratagemic terms such as *calliditas, sollertia, consilium,* and *praestigiae* may characterize sophistic interpretation of agreements, there is no equivalent Latin expression for the Greek *horkos sophistikos.*[205]

Breaking agreements elicits several terms. Besides *dolus, fraus, malitia, fallere,* and other general terms for this act, it is noteworthy that *mendacium* rarely appears in the context of breaking faith in an agreement. Likewise, *periurium* (perjury) is also rare: it is lacking in Frontinus and it occurs only once in Vegetius (3.3), coupled with *dolus,* to indicate the deceptions of crafty enemies who might take advantage of the gullibility of provincial

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202 See nn. 161–63, 181 *supra.*
203 Liv. 23.39.7; Val.Max. 9.6.4.
204 Treason: Cic., *Off.* 3.83; assassination: Curt. 5.13.9, 13; Berve, II, 105 no. 212.
205 Wheeler, *GRBS* (1984) 259 n. 24.

garrison troops. Indeed *periurium* is scarcely a legal term. Since the oaths which validated and guaranteed agreements constituted a religious act, perjury was thought punishable by the gods and not by the state. Only a false oath sworn by the emperor's name became a public crime.[206]

Of course the chief word associated with breaking faith is *perfidia* (treachery, treason), as seen in Valerius Maximus' definition of *perfidia*.[207] Quite surprisingly, legal texts largely ignore the term, perhaps for the same reason as they do *periurium*: it was a religious and not a civil crime.[208] But treason is a crime against the state. When a citizen breaks faith with his state, he commits treason and *perfidia* is often associated with *proditio*. Likewise, from a Roman point of view, the treachery of allies (*perfidia*) could also be seen as treason (*proditio*).[209]

All cases of treachery and perfidy, however, are not stratagems. Only three of Valerius' six anecdotes of *perfidia* qualify as stratagems; its single appearance in Vegetius does not; and only in one of Frontinus' four anecdotes in which the word appears is *perfidia* a key component of the stratagem.[210] Indeed *perfidia* can often occur for rhetorical effect or moral reproach rather than as a technical equivalent for stratagem. As an example Livy's charge against Hannibal (21.4.9), *perfidia plus quam Punica*, sufficiently serves.

When Cicero introduced the Greek word *strategema* into Latin, he provided only the briefest definition, and Livy, Valerius Maximus, and even Frontinus did not expound at great length on what this Graecism meant. There was no such need. Romans easily identified the idea with *consilium*, and *sollertia, calliditas, astus, sapientia*, and other good Latin words represented the mentality associated with it. This survey of the Latin stratagemic vocabulary has demonstrated the independence of Roman views of stratagem. Although words of the Greek vocabulary often have Latin counterparts, only *dolus* among the most common Latin terms is a cognate of one of the most common Greek terms, and only *furtum* can be shown a conscious Latin imitation of a Greek stratagemic word. Even when a Latin equivalent for a Greek word can be demonstrated, the Latin word may carry the nuances of several Greek words, such as *consilium* for *strategema, phronesis, anchinoia*, and *mechane*. Greek influence can also be discerned in use of *sapientia*, the Latin counterpart of Greek *sophia*, but this word falls into the category of occasional words in contrast to *sophia*'s

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206 Berger, *EDRL*, 628.

207 See Ch. I n. 48.

208 Carcaterra 38 n. 22: one occurrence in the *Digest* and two in the *Justinianic Code*. Berger does not even have an entry for it in *EDRL*.

209 *Rhet.Her.* 4.22; Liv. 1.28.4; Val.Max. 9.6.1, 4; Curt. 4.6.4; Front., *Strat.* 4.4.1.

210 Val.Max. 9.6.1, 3–4; Veg. 3.6; Front., *Strat.* 1.1.6. Cf. Tac., *Ann.* 2.46.6.

qualification for the category of most common words. Indeed Greek *techne* retains its position in the first category only in its Latin equivalent *ars* and not in its cognates *techna* or *techina*, while *machinatio*, the equivalent of an important Greek word *mechane*, has no Latin stratagemic use at all. Contentions that Romans could not understand the idea of stratagem in their own language and that Latin lacked a rusé vocabulary to express such ideas simply cannot stand. Certainly a large correlation of ideas for trickery in Greek culture and Roman culture exists, but this correlation is not owed primarily to Greek influence on Latin terminology. Its explanation is not my problem to solve. The possibility of this correlation's origins in a common Indo-European heritage is a matter for others to decide.

Two other differences between the Greek and Latin vocabularies deserve emphasis. First, the Latin vocabulary lacks the unifying elements found in the Greek. Whereas descriptions of Odysseus and the idea of *metis* account for the majority of Greek words in the categories of most common and of occasional words, nothing similar occurs in Latin to serve as a common denominator. Latin literature began too late in Roman history to provide a context and an instrument for standardizing the Latin vocabulary for stratagem. Greek literature, in comparison, began not only chronologically earlier but also at an earlier stage of Greek civilization's development. Furthermore, no Roman philosophers arose to work out an independent Latin epistemological system establishing relationships between the Latin concepts.

Second, the Latin vocabulary bears no trace of a truly technical language not commonly found in literature for a general audience. A technical Latin military vocabulary existed, as evidenced in Ps.-Hyginus Gromaticus' *De munitionibus castrorum*, the anonymous *De rebus bellicis*, Vegetius, the Caesarian corpus, and elsewhere, but the extant sources give no indication of specialized terms for the most common stratagems. The creation of special units such as *superventores* and *insidiatores* in the fourth century, however, may indicate that Romans were beginning to consider stratagems in a more technical manner than merely the spontaneous offspring of a general's genius. In this case the Byzantine emphasis on stratagems, although rooted in Greek theory rather than Latin, could reflect the continuation of a genuine Late Roman concern, although Vegetius still considers stratagems solely the prerogative of a commander. Perhaps, like so much strategic thinking in antiquity, no theorist bothered to codify it in a treatise. Yet, it is also clear that the technical legal vocabulary of the Romans did not transfer to that of stratagem to any great extent. The bulk of the Latin stratagemic vocabulary has only an incidental legal use, and the possible exceptions, *dolus* and *fraus*, usual-

ly appear without their technical legal nuances. Nevertheless, *dolus* and *fraus* can have a pejorative tone. It is time to consider the long deferred question of the general moral tone toward stratagems reflected in the Greek and Latin vocabularies.

CHAPTER FOUR

THE CONCEPT OF *VOX MEDIA*

Throughout discussion of the Greek and Latin stratagemic vocabularies it has been argued that the tone of various words is positive or at least neutral. Certainly words for mental faculties, intelligence, talent, genius, and ability are hardly to be viewed as pejorative.[1] Nevertheless, this interpretation may seem unlikely for words denoting trick, crime, treachery, and treason, until the realization strikes that in war losers seek excuses for defeat. Victims of deception or even of an opponent's superior skill can always cry "foul" with or without just cause. Often the attitude of a writer toward the respective parties or a particular event determines whether a stratagem is praised as genius, defended as necessity, or condemned as a war crime.

The relative moral tone of the Greek and Latin stratagemic vocabularies, however, need not be solely argued piecemeal on the basis of individual words, although in this instance to argue from specific to general offers the most conclusive case. The positive tone of the entire concept of stratagem can also be demonstrated, once it is realized that *dolus*, like many other stratagemic words, has a neutral tone, i.e., what the ancients called a *vox media* or *nomen medium* (neutral word), and that stratagem represents the concept of a *dolus bonus* (good trick). Discussion of the Latin evidence will provide the basis for application of the concept of *vox media* to the Greek vocabulary.

The conclusion of Ulpian's commentary on the definitions of *dolus malus* by Servius Rufus and Labeo offers a point of departure: "Labeo's definition is true. The praetor, however, was not content to say *dolus*, but added *malus*, because the ancients also used to speak of *dolus bonus* and to interpret this phrase as *sollertia*, especially if anyone should scheme against an enemy or an outlaw."[2]

The identification of *dolus bonus* with *sollertia*, a synonym for stratagem, and particularly the reference to use of *dolus bonus* against an enemy make the equation of *dolus bonus* and stratagem quite obvious. Indeed Ulpian's commentary represents the first extant legal text to legitimize the use of

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1 Cf. Carcaterra 121–22.

2 *Dig.* 4.3.1.3: *Labeonis definitio vera est. Non fuit autem contentus praetor dolum dicere, sed adiecit malum, quoniam veteres dolum etiam bonum dicebant et pro sollertia hoc nomen accipiebant, maxime si adversus hostem latronemve quis machinetur.* Text of *Dig.* 4.3.1.2 in Chapter III n. 46.

stratagem and marks the beginning of formal judicial approval of stratagem in the tradition of Western international law. The judicial aspects of the passage and its intellectual background must be pursued elsewhere. Of immediate concern are first, the neutral property of the word *dolus*, i.e., a trick can be good as well as bad, and second, the date of the concept of *dolus bonus* indicated by Ulpian's reference to the "ancients" (*veteres*).

Ulpian's *dolus bonus*, which he probably encountered in Labeo, can be confirmed by other evidence. Sextus Pompeius Festus, the late-second-century epitomator of the *De significatu verborum* of Labeo's contemporary Verrius Flaccus, also discusses *dolus*: "Now we use the word *dolus* only in a negative sense. In the writings of the ancients, however, it also used to be employed in a good sense, whence we still speak of 'without malicious intent' (*sine dolo malo*) surely because a 'good trick' also was accustomed to be said."[3] Aelius Donatus likewise notes the neutral sense of *dolus* in his commentary on the occurrence of *dolo malo* in Terence: "That he [Terence] added '*malo*' either is an archaism, because it was thus written in the Twelve Tables, or it is the universal adjective of *dolus*, or it is a distinction, because there is also a *dolus bonus*, by which Lucretius the poet bears witness that doctors deceive the sick but do not cheat them."[4]

Aulus Gellius, the near contemporary of Festus, adds further evidence in his discussion of the concept of *vox media*, in which the contrast of ancient and current usage is again made.

> Generally it is possible to see and to note in old writings that very many words, which now show in the speech of the people a singular definite meaning, were so neutral and general that they could signify and assume two mutually contrary meanings. Some of these are sufficiently known, as "weather," "health," "deed" (*facinus*), "trick" (*dolus*), "influence," and "diligence." In fact it has generally become well known that these were ambiguous and could be said with double-entendre. You would find that many such examples—even "risk," "drug," and "contact"—were not used in speech exclusively with a pejorative sense, as they are now. But you would discover that also "honor" was a neutral word and so used that even "bad honor" was said and meant "injury."[5]

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[3] Festus s.v. *doli*, p. 60 Lindsay: *Doli vocabulum nunc tantum in malis utimur, apud antiquos autem in bonis rebus utebatur. Unde adhuc dicimus sine dolo malo, nimirum quia solebat dici et bonus.*

[4] Donat. *ad* Ter., *Eun.* 515 = 3.3.9: *quod autem addidit "malo," aut* ἀρχαϊσμός *est, quia sic in duodecim tabulis a veteribus scriptum est, aut* ἐπίθετον *doli est perpetuum, aut* διαστολή *est, quia est et bonus, a quo a medentibus falli aegros, non tamen decipi Lucretius poeta testatur.*

[5] Gell. 12.9.1–3: *Est plurifariam videre atque animadvertere in veteribus scriptis pleraque vocabula, quae nunc in sermonibus vulgi unam certamque rem demonstrent, ita fuisse media et communia, ut significare et capere possent duas inter se res contrarias. Ex quibus quaedam satis nota sunt, ut tempestas valitudo, facinus, dolus, gratia, industria. Haec enim fere iam vulgatum est ancipitia esse et utroversus dici posse. Periculum etiam et venenum et contagium non, uti nunc dicuntur, pro malis tantum dicta esse multum exemplorum huiusmodi reperias. Sed honorem quoque mediam vocem fuisse et ita*

Gellius continues with an excerpt from a speech by Q. Metellus Numidicus delivered concerning his triumph of 106 B.C.

Thus four independent sources (Ulpian, Festus, Donatus, and Gellius) cite *dolus* as a neutral word (*vox media*), and three of the four (Ulpian, Festus, Donatus) explicitly refer to *dolus bonus*. In view of this evidence the historicity of the term *dolus bonus* cannot be rejected either as a fantasy of grammarians or as a contradictory expression.[6] The whole point of a *vox media* is that a word is neutral in tone and requires an adjective or a strongly colored context to render it positive or negative. Language of course perpetually evolves. Gellius explicitly indicates, and the three others imply, that *voces mediae* were common at an earlier stage of the Latin language's development, but many of these words had later acquired a standard positive or pejorative tone. Indeed other changes of tone and meaning within the stratagemic vocabulary have already been noted: in Greek, *panourgos*, negative in the fifth century B.C., became neutral in the Hellenistic period; in Latin, *sapientia*'s original rusé nuance fell victim to philosophical usage and political overtones, while the rusé *cognomina* Cato/Catus and Corculum faded away as archaisms. As noted earlier, *dolus* can be used for stratagem and as a legal term. How does *dolus* as a *vox media* fit into this picture and can the term *dolus bonus* be precisely dated?

Throughout the Republican era *dolus malus* occurs as a legal formula, signifying malicious intent and having no connection with stratagem or *dolus*' basic meaning as "trick," but even in its non-formulaic legal use *dolus* regularly is coupled with the adjective *malus*. According to Donatus the *dolus malus* formula appeared in the Twelve Tables, traditionally dated to 450 B.C. This implies that the concept of *dolus bonus* was also current in the mid-fifth century B.C., and it can be inferred from Festus that *dolus bonus* actually antedated *dolus malus* and required addition of the pejorative adjective. Nevertheless, the language of the Twelve Tables' fragments is largely that of the Late Republic.[7] *Dolus malus* in whatever context it appeared could be a later interpolation, just as it could in the formula of the fetials for concluding treaties, which otherwise would push the use of *dolus* as a *vox media* as far back as the legends of Tullus Hostilius.[8] Nothing definite can be gained from reliance on possibly interpolated documents, especially those supposed to come from periods before any Latin literature is extant. A date for *dolus bonus* may be derived in another way.

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appellatum, ut etiam malus honos diceretur et significeret iniuriam, id profecto rarissimum est. Cf. *Dig.* 48.8.3.2 for *nomen medium* as the synonym for *vox media.*

6 Carcaterra rightly rejects such views: 115–17.

7 *Ibid.*, 123; Wolff 58.

8 Liv. 1.24.7; Ogilvie 109–10.

Ulpian, Festus, and Donatus all refer to *dolus bonus* in the customary sense of the imperfect tense as a phrase no longer current and as practice of "the ancients" (*veteres/antiqui*). Since the most probable sources of Ulpian and Festus, Labeo and Verrius Flaccus respectively, belong to the Augustan age, *dolus bonus* must date to the Republican period. Indeed in legal texts, such as Ulpian, *veteres* is a semi-technical expression denoting jurists of the Republican era, and if the use of *dolus bonus* seemed archaic to Augustan writers, then certainly its currency belongs not to the Late Republic of the first century B.C. but more probably to the second century B.C. or even earlier.[9] The passage from Gellius not only confirms *dolus* as a *vox media*, but also demonstrates a *vox media* in use at the end of the second century B.C., when Gellius implies *voces mediae* were still common. Thus a date for *dolus bonus* in the second century B.C. seems probable. Yet, if the legal formula *dolus malus* implies the existence of *dolus bonus*, then a date for the second century B.C. is confirmed and the possibility of the late third century B.C. is introduced. The *lex Silia* on weights and measures containing the *dolus malus* formula possibly belongs to the work of Publius and Marcus Silius as tribunes of the plebs in 204 B.C., and the formula also appears in Plautus as well as in the Oscan law found on the reverse of the *tabula Bantina* dated between 179 and 117 B.C.[10]

Although the legal formula *dolus malus* may yield a very rough *terminus post quem* of *ca* 200 B.C. for the occurrence of *dolus bonus*, use of *dolus* as a *vox media* in speech could still date much earlier. Gnaeus Naevius (fl. 235 B.C.), for example, wrote a play called *Dolus* (Varro, *Ling.* 7.107), about which, unfortunately, nothing substantive is known. Furthermore, a *terminus post quem* for the prevalence of *dolus*' pejorative tone, and therefore also perhaps a *terminus ante quem* for currency of the term *dolus bonus*, is found in Aquilius Gallus' definition of *dolus malus*. From the earlier discussion of *dolus* it should be recalled that before Gallus' definition no precise legal concept of *dolus* existed—further proof of the word's neutral tone. *Fraus* and *malitia* were preferred as legal terms to designate trickery and *dolus* was not frequently employed. Legal use of *dolus* without the adjective *malus* occurred only in the Imperial period when *dolus* had become the chief legal term for trickery. Thus the prevalence of the pejorative tone of *dolus* in the Imperial era is tied to its appearance in legal texts. Christianity and its opposition to lying possibly also exerted some influence on *dolus*, especially in Justinian's legal work, but Christian influ-

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[9] Schulz 118. Behrends thinks *veteres* can be defined more specifically as the jurists from the beginning of the second century B.C. to the death of Q. Mucius Scaevola in 82 B.C., who were under Stoic influence. This accords with his argument that subsequent jurists of the Late Republic fell under the influence of the New Academy and the doctrines of Carneades. See Behrends, *RHDRE* (1977) 7–33.

[10] *lex Silia*: Festus, p. 288 Lindsay; Plaut., *Rud.* 1387; *tabula Bantina: FIRA* I 16.4.

ence occurs late and Christian writers also illustrate the use of stratagemic terms as *voces mediae*, as shall be demonstrated below.[11]

To this point my argument has shown first, that *dolus* is a *vox media* whose essential pejorative tone in Imperial authors is owed to its use as a legal term after the second quarter of the first century B.C. *Dolus* as a *vox media*, however, does not depend on use of the term *dolus bonus*, since Gellius indicates that the neutral tone of *dolus* was still commonly recognized in the second century. Furthermore, the limited currency of the term *dolus bonus* in no way corresponds to the idea of *dolus bonus*, for the concept of stratagem long antedates, and continues long after the *termini* of this Latin expression. Nevertheless, given these *termini* for currency of the term *dolus bonus*, it is scarcely surprising that no trace of this *term* survives apart from Ulpian, Festus, and Donatus, since little Latin prose exists from the third and second centuries B.C. Of course stratagems dated to this period and given in Latin sources could be cited as proof for *dolus bonus*' currency as an idea, although in extant sources the adjective *bonus* is never added to *dolus* in this context. Thus it is preferable to demonstrate the positive tone of *dolus* without a qualifying adjective and to note instances other than stratagems in which the idea of *dolus bonus* is clearly present.

Dolus as stratagem occurs as early as the third century B.C. as seen in Naevius' *Lycurgus*, and the favorable view of *dolus* and trickery in general continues in Plautus. Indeed verse sources through the Augustan period show a neutral or positive sense of *dolus* and this is also extended to its adjectives *dolosus* (crafty) and *subdolus* (sly). *Dolosus* never occurs as an insult and *subdolus* appears negatively only when this sense is clarfied by other words.[12] It could be argued from the *Rhetorica ad Herennium* (3.8), however, where *consilium* is explicitly said to be a euphemism for *dolus*, that *dolus* is pejorative. Yet the author of this rhetorical handbook writes from the amoral perspective of composing orations for the best effect regardless of the situation, and his earlier discussion of *dolus* (3.3) likewise involves no moral negativism. Certainly "plan" is a more positive word than "trick," but *consilium* also is a *vox media*: a plan may be evil as well as good. Besides, the issue at hand involves not whether one word is more positive or negative than another, but rather whether an individual word bears a positive, negative, or neutral tone. The anonymous *Rhetorica* supports rather than contradicts *dolus* as a *vox media*. In addition, Sallust uses *dolus* with an entirely positive tone, when Cicero counters the *insidiae* of Catiline with *dolus* and *astutiae*.[13]

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11 Carcaterra 139–43; Wacke *ZRG* (1977) 222.
12 Naevius, trag. fr. 44 Warmington; Carcaterra 120–21, 125–31.
13 Sall., *Cat.* 26.1–2; Carcaterra 155.

The concept of *dolus bonus*, however, is not simply a manifestation of *dolus* as a *vox media*, for the idea is also Stoic, with roots reaching back to the sophists of the fifth century B.C. and beyond. Labeo's definition of *dolus malus* betrays Stoic elements, and some assert he was a Stoic himself or at least under Stoic influence.[14] To trace in the development of Greek and Roman international law the concept of stratagem, essentially identical with the concept of just deceit, is the task of another work. Nor is this the place to broach the problem of Greek philosophical influence on Roman law or the question whether *dolus bonus* was a principle of Roman private law. The immediate task is only to present the Roman evidence for *dolus bonus* as a Stoic idea.

In Ulpian's commentary on Labeo's definition of *dolus malus, dolus bonus* is defined twice. The explicit definition (*Dig.* 4.3.1.3) gives use of *dolus* against an enemy or an outlaw, but earlier in criticism of Servius' definition of *dolus malus* Labeo specifies that "also without criminal fraud one thing could be done and another pretended, just as those do who through some sort of dissimulation save themselves and guard either their own or another's property."[15] Such instances, of course, for saving one's own life, property, and those of others occur against either an enemy or an outlaw. Stoicism endorsed as right and just the use of force and deceit for self-preservation and for defense of the community and one's neighbors.[16] For Stoics these criteria determined whether a *dolus* was *bonus* or *malus*, just as Cicero reworking the thought of the Stoics Panaetius and Poseidonius in the *De officiis*, argues that courage motivated by personal gain rather than by the common good is called audacity and not bravery.[17] Moreover, Cicero elsewhere conceives of a situation in which deceit results from necessity rather than malice. As Carcaterra argues, the existence of deceit without malice proves the reality of *dolus bonus*. But if "necessity" is taken as survival in war or escape from a brigand, then Cicero's example fits the general Stoic view of *dolus bonus*.[18]

Donatus' reference to *dolus bonus* presents quite a different illustration

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[14] Discussions and bibliography in Carcaterra 227–33, 247–54; Wacke, *ZRG* (1977) 224. In the first century Roman jurists divided into two schools, the Sabinians and the Proculians, and Labeo was seen as the spiritual father of the latter. Although some assert the Sabinians were inspired by Stoicism and Proculians were not, convincing criteria of distinctions between the two schools have never been made. On the problem see Behrends, *RHDFE* (1977) 25–26; Jolowicz 384–87. Labeo's Stoic view of *dolus bonus*, an uncharacteristic stance for a Proculian, illustrates the difficulty.

[15] Texts in Ch. III n. 46 and n. 2 *supra*.

[16] Chrysippus, *SVF* III nos. 333, 342, 554–55, 616.

[17] Cic., *Off.* 1.63: *verum etiam animus paratus ad periculum, si qua cupiditate, non utilitate communi impellitur, audaciae potius nomen habeat quam fortitudinis.*

[18] Cic., *Rhet.Inv.* 2.61; Carcaterra 152–53.

of the concept: a physician's deception of his patient to insure the administration of medicine. He cites Lucretius the Epicurean poet, but the example is hardly Epicurean. It appears as early as the sophistic *Dissoi Logoi* of the late fifth or early fourth century B.C. and is attributed to Socrates in Plato and Xenophon, before Chrysippus, the great Stoic of the third century B.C., used it. Most probably, Stoicism accounts for how not only this example but also the idea of *dolus bonus* passed into patristic writers such as Clement of Alexandria and others, although a case could also be made for Platonism.[19]

It would certainly be a mistake, however, to view *dolus bonus* merely as the esoteric concept of jurists and philosophers. Stoic philosophers did not create the idea of *dolus bonus*, which as a form of the idea of just deceit dates at least to the sophists, nor does the Greek equivalent of this Latin phrase, *dolos kalos*, appear in Classical Greek texts. Likewise, when Stoicism came to Rome in the second century B.C., Stoics created neither the idea of *vox media* nor the neutral sense of *dolus* in the Latin language. As the encyclopedist Gellius shows in the most extensive discussion of *vox media* extant, *vox media* is a matter of linguistic usage, not philosophy. Stoics only added a philosophical notion and justification to a usage in Latin already present. In fact, the extent of the idea of *dolus bonus* can be illustrated by an inscription of unknown but apparently Imperial date from Aïn-Beïda in Numidia, apparently addressed to the guardian of a family's home:

> You will be the security of the sleepers, the defense of the houses, the guard of the gâte, the dark auditor, the silent judge, for whom it is right to deceive and a glory to disappoint brigands.[20]

To summarize this discussion of *dolus bonus* and the positive use of *dolus*, Florus' account of the duel between the Roman triplets the Horatii and the Alban triplets the Curiatii will sufficiently serve. The Romans and Albans agreed to decide their war by a duel of champions, essentially a *monomachia*.[21] In the combat the three Curiatii were wounded and two Horatii killed.

> The Horatius who had survived, after adding *dolus* to his courage, feigned flight to separate his enemy. He attacked them individually, just as they

[19] Lucr. 1.936–41, 4.11–16; *Dissoi Logoi* 3.2–3 Robinson; Pl., *Rep.* 2.382a; Xen., *Mem.* 4.2.17; Chrysippus, *SVF* III no. 555 = Quint., *Inst.* 12.1.38; Max.Tyr., *Or.* 13.3d; Clem.Al., *Strom.* 7.9.4–5, 9–12, *PG* 9, 473–77; Origen, *C.Cels.* 4.18.4.

[20] *CIL* VIII 2297: *eris securitas soporantium, /munimem domorum, tutela claustro/rum, discossor obscurus, arbiter/silentiosus, cui fallere insidiantes/fas est et decipere gloria.*

[21] On *monomachia* see my "*Hoplomachia* and Greek Dances in Arms," *GRBS* 23 (1982) 224; Pritchett, *GSAW* IV, 15–21; S.P. Oakley, "Single Combat in the Roman Republic," *CQ* 35 (1985) 392–410.

were able to pursue him, and overpowered them. Thus—an honor otherwise rare—victory was gained by the hand of one man.[22]

The Roman won by stratagem, and Florus views his *dolus* with absolute approval. *Virtus*, however, is a key symbol for the Achilles ethos in Latin. Florus' phrase of adding *dolus* to *virtus* demonstrates the positive Roman attitude and the proper perspective toward stratagem—the complementary natures of Achilles and Odysseus. Quite remarkably, Livy combines the two concepts in his characterizations of Rome's kings and early heroes.[23]

Stoic justification of stratagem as *dolus bonus*, the legalization of stratagem in Roman law through Labeo and Ulpian, and Roman use of *dolus* as a *vox media*, all imply that the whole Latin stratagemic vocabulary must have at base a neutral or positive tone. This finding confirms in a comprehensive manner the arguments presented earlier for the neutral or positive tone of individual words, such as *consilium, sollertia, calliditas*, and *prudentia*. Furthermore, to draw the logical conclusion from Labeo's definition of *dolus malus*, if all *calliditas, fallacia*, and *machinatio* used for negative deceit and cheating another is *dolus malus*, then all *calliditas, fallacia*, and *machinatio* to deceive an enemy or an outlaw is *dolus bonus*, as are *sollertia, dolus bonus*' synonym, and all *calliditas, fallacia*, and *machinatio* not used for deceit.[24] Thus all these stratagemic words are definite *voces mediae*.

To this list St. Augustine adds *astutia*, although he claims its use as a *vox media* is chiefly Christian:

> Some vices, as you know, are contrary to virtues by an open distinction, as imprudence to prudence, and there are some, only because they are vices and therefore contrary, nevertheless, similar to virtues by a deceptive appearance, not as imprudence to prudence, but as *astutia* to prudence. Now when I say *astutia*, which usually is accustomed to be conceived and expressed negatively, it is not as our Scripture is accustomed to say it, which often uses *astutia* positively: whence, "be clever as snakes" (Matt. 10:16), and that line, "that he may give *astutia* to the simple" (Prov. 1:4). And yet even in the works of pagans a most eloquent writer of the Roman language used *astutia* positively and said: "Nevertheless, he [Cicero] did not lack trickery and cleverness for guarding against [Catiline]." But this is most rare among pagans and most frequent among Christians.[25]

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[22] Florus 1.3.4–5: *qui supererat Horatius addito ad virtutem dolo, ut distraheret hostem, simulat fugam singulosque, prout sequi poterant, adortus exuperat. Sic—rarum alias decus—unius manu parta victoria est.*

[23] Cf. Rambaud, *Mélanges Senghor* 412.

[24] Cf. Giovanni Criscuoli, "Il criterio discretivo tra *dolus bonus* e *dolus malus*," *Annali del Seminario Giuridico dell' Università di Palermo* 26 (1957) 31.

[25] Aug., *Ep.* 167.6, *PL* 33, 735: *Sunt enim, ut scis, quaedam vitia virtutibus aperta discretione contraria, ut imprudentia prudentiae. Sunt autem quaedam tantum quia vitia sunt, ideo contraria, qua-*

Augustine is correct to identify *astutia* as a *vox media*, but his assertion that its positive use is predominately Christian will not bear scrutiny. Besides Sallust, *astutia* and *astus* in rusé contexts appear with a positive tone in Livy, Tacitus, Silius Italicus, and Vegetius.[26] It is not surprising, however, that Christian writers of the Late Empire, Greek as well as Latin, would employ stratagemic terms and exploit their positive nuances as *doli boni* for their own purposes. Christians approved of stratagems both as *doli boni* and because of their use by Hebrew heroes. Augustine in fact would provide the chief justification of stratagem's legitimacy cited in the Middle Ages. Moreover, the appearance of stratagemic terms in patristic works corresponds to Christian use of other military terms and metaphors.[27]

The basic property of a *vox media* is the neutral tone of a word which requires an adjective or a context to render it positive or negative. Despite Augustine's allegation about the negative tone of *astutia* in pagan writers, the term is generally positive and, like other words for ability, genius, and mental faculties, its tone usually derives from its context rather than from a qualifying adjective. In contrast, *dolus*, at least before the first century B.C., required an adjective. So, too, did *fides* (faith, trust). Although generally taken as the antonym of *dolus, fides* is actually a *vox media*, since good faith (*bona fides*) and bad faith (*mala fides*) are both possible. A pejorative tone could also be expressed by addition of an adjective indicating a people known for bad faith, such as the Greeks or the Carthaginians (scil. *fides Graeca, fides Punica*).[28] In Classical Latin a predominant positive tone emerged for *fides*, just as *dolus* acquired a pejorative sense. This development of *fides* lies in the obscurity of both official and conversational Latin usage before the first century B.C. and could go back to a very early date in the archaic period.[29] The difficulties of tracing the history of *dolus* illustrate the problem. Nevertheless, just as the original neutral tone of *dolus* calls into question any generalizations about a negative Roman attitude toward stratagem, so the neutrality of *fides* dulls the cutting edge

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dam tamen specie fallaci similia, ut eidem prudentiae non imprudentia, sed astutia. Nunc enim cum dico astutiam, quae usitatius in malitiosis intelligi et vocari solet; non sicut nostra loqui Scriptura consuevit, quae saepe astutiam in bono ponit: unde, Estote astuti ut serpentes (Matt. 10:16); *et illud, Ut et innocentibus det astutiam* (Prov. 1:4). *Quanquam et apud illos Romanae linguae disertissimus dixerat, Neque illi tamen ad cavendum dolus aut astutiae deerant* (Sall., *Cat.* 26.2), *astutiam ponens in bono: sed apud illos rarissimum, apud nostros frequentissimum.*

26 See Ch. III nn. 118–20.

27 For a survey see Harnack 1–46.

28 Hugo Krüger, "*Fides* als *vox media*," *Archiv für lateinische Lexikographie* 10 (1898) 355–60; Otto 156 s.v. Graecus 2–3, 291 s.v. Punicus 1.

29 Cf. Luigi Lombardi, *Dalla fides alla bona fides* (Milan 1961), reviewed by Franz Wieaker, *ZRG* 79 (1962) 407–21.

of modern claims, based on Roman propaganda, concerning the Romans as the people of *fides*.[30]

Furthermore, the archaic neutral sense of many Latin words asserted by Gellius (12.9.1) extends to two of *dolus*' synonyms, *malitia* and *fraus*, both of which received preference as legal terms for trickery before Aquilius Gallus' definition of *dolus malus*. Plautus qualifies *malitia* as *mala*, thus implying that *malitia* could also be *bona*, and Ovid speaks of a *pia fraus* (dutiful deceit) in the sense of *dolus bonus*.[31] Indeed the origins of *fraus*' pejorative tone contrast with those of *dolus*: whereas *dolus* became negative through its legal application, *fraus* acquires its negative moral overtones not from law but from non-legal contexts.[32]

Yet the list of stratagemic *voces mediae* also includes *error* and *mendacium*. Like *dolus bonus*, the seemingly paradoxical expressions *utilis error* and *salubre mendacium* appear in Livy with the sense of stratagem and *dolus bonus*. They cannot be mere oxymorons any more than *dolus bonus*, for they constitute species of the genus *dolus bonus* and represent specific types of stratagems.[33]

Certainly not all *voces mediae* are stratagemic terms; nor are all words used to describe stratagems *voces mediae*. Words of moral reproach, such as *scelus* and *perfidia*, are not neutral, and *facinus*, a definite *vox media* (Gell. 12.9.1), merits inclusion in this study only as a term of moral reproach. With such exceptions, however, the tone of the Latin stratagemic vocabulary is neutral or positive. A stratagem is a *dolus bonus*. Its employment is both justified and a source of glory. The attitude toward stratagems reflected in the words used to describe them is undoubtedly positive.

But still another occasional stratagemic word and a *vox media, venenum* (drug, poison) should be mentioned. Like *facinus, venenum* enters this discussion only in its negative sense. Its Greek equivalent φάρμακον has the same duplicity of meaning as either a beneficial drug or poison.[34] Hence, to what extent can a positive Greek attitude be found in the Greek stratagemic vocabulary as seen in the use of *voces mediae*?

Rehearsal of earlier arguments for the neutral or positive tone of individual Greek words is not necessary. Even words such as *apate* and *panourgia* have been shown in no way to bear an exclusively pejorative tone. The immediate task is to confirm these arguments through demonstration that *dolos, techne, mechane, apate, phronesis*, and *panourgia* are *voces mediae*. In

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30 Cf. Boyancé 91–103, 105–19, 135–52.

31 Plaut., *Aul.* 215: *sine mala omni malitia*; Ov., *Met.* 9.711.

32 Krüger/Kaser, *ZRG* (1943) 174.

33 *Utilis error*: Liv. 10.14.20; Ch. III nn. 138–39; *salubre mendacium*: Liv. 2.64.6; Ch. I n. 41, Ch. III n. 151. Cf. Carcaterra's arguments: 115–17.

34 Gell. 12.9.2; *Dig.* 48.8.3pr.–2, 50.16.236.

some cases such usage is attested already in Homer, while in others evidence is found of the Stoic concept of *dolus bonus*.

As in Latin, so in the Greek vocabulary, *dolos* sets the stage for discussion. Its neutral tone is clear in Homer who never criticizes the use of *dolos* as stratagem, although in two instances a negative sense is imputed by an adjective. Agamemnon, when he sees Odysseus seeming to shirk battle, calls to him with the epithet, "the one who excels in bad tricks" (*kakoisi dolois kakasmene*). Similarly, when Zeus awakes from a sleep induced by Hera so that the tide of battle may favor the Achaeans, he rails at her *kakotechnos dolos* (evil trick). A general pejorative tone for *dolos* cannot be argued from these two examples and the necessity of using *kakos* and *kakotechnos* attests Greek *dolos* as a *vox media*.[35]

Further evidence appears in the Homeric scholia, upon which Stanford bases his argument for the neutral tone of *dolos*. The scholiast on Il. 3.202 comments on Odysseus' tricks that *doloi* can be both *kakoi* and *kaloi*. *Dolos kalos*, the Greek equivalent of *dolus bonus*, does not appaer in Classical Greek—not even in fifth and fourth century B.C. discussions of just deceit. The scholiast must therefore be expressing a Stoic idea. Stanford, although aware that Odysseus became a Stoic hero, fails to acknowledge that his evidence for the neutral tone of *dolos* cannot date earlier than the third century B.C.[36] The extent of Stoic influence on the Homeric scholia, however, is debated. Yet references to the concepts of stratagem and just deceit must certainly be Stoic and *dolos kalos* is a Stoic expression. Eustathius even preserves Stoic ideas when he writes: "it is not to be unheeded for the good man (*spoudaioi andri*) to devise tricks opportunely and thus in some way to deceive"; and similarly, "it is clear that in general the wise man will deceive opportunely." *Spoudaios aner* for the "good man" is a standard Stoic expression.[37]

Thus the same pattern seems to emerge from the Greek evidence as in the Latin: an original neutral tone for stratagemic terms later strengthened by a philosophical idea. Stoicism, however, develops relatively early in Roman civilization but relatively late for the Greeks. The idea of just deceit long antedated the Stoics, and further confirmation of other Greek synonyms for stratagem as *voces mediae* should be examined.

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35 Il. 4.339, 15.14; Arnaud 27, 29 n. 5.

36 Stanford 13, 249 n. 17 cf. 121–25.

37 Eust. *ad* Il. 10.382, 813; *ad* Od. 3.20, 1455; *spoudaios aner*: e.g., *SVF* I no. 216. On the problem of Stoic influence on the scholia see Martin Schmidt, *Die Erklärungen zum Weltbild Homers und zur Kultur der Heroenzeit in den bT-Scholien zur Ilias* (Zetemata 62: Munich 1976) 39–59. Schmidt urges caution that all references to Homer as a source of all wisdom in the scholia are of Stoic origin, but he excludes from his study material related to military affairs, for which Homer was thought an important teacher and even the first military theorist. Cf. Wheeler, *Chiron* (1983) 17 with n. 85, 18 n. 91.

Techne and *mechane* provide ample evidence. To render the adjectives derived from these neutral nouns pejorative, Homer added *kakos*, as in Hera's *kakotechnos dolos*, already mentioned, and in *kakomechanos* (contriving evil), which Helen applies to herself and Penelope uses in reference to the suitor Antinous. The Homeric precedent for these adjectives found imitation in later sources but not in stratagemic contexts.[38] Indeed *techne* and *mechane* retained their neutral tone into the Classical period and later. Even in the anti-deceit clauses of Greek treaties of the fifth and fourth centuries B.C. the promise not to circumvent the oath by *techne* or *mechane* reveals a neutral attitude toward the use of stratagems, since sophistic interpretations were within the rules and definite pejorative cognates of these words were available.[39] *Kakotechnia* (base artifice), for example, is first attested in a barb of Heraclitus against the philosophy of Pythagoras. By the late fifth and fourth centuries B.C. *kakotechnia* became a legal term for "malicious conspiracy" and "subornation to perjury," but the word never appears for stratagem.[40] Likewise, the verb *kakotechnein* (to use base arts, to deal fraudulently) first appears in Herodotus to describe the machinations of the Spartan king Cleomenes I which led to the deposition of Demaratus. A century later Demosthenes attests the word's use in a legal context. Although literary sources do not employ the word for stratagem, an epigraphical text presents a unique occurrence. In the third century B.C. the loyalty oath of the mercenaries to Eumenes I of Pergamum includes *kakotechnein* within the oath's anti-deceit clause. In this case, however, the subsequent *techne* in the sentence may assume a negative sense—not because *techne* ceased to have a neutral tone, but because its pejorative cognate *kakotechnein* precedes it in the clause.[41]

Cognates of *mechane* attest its neutral tone in much the same way. The pejorative verb *kakomechanein* (to use base arts) appears only in one of Polybius' polemics against Philip V of Macedon. In contrast, an Homeric scholiast employs the positive adjective *eumechanos* (skillful at contriving, ingenius) to describe the good general and *anchinoia*, and its adverb appears in Appian in the context of a *salubre mendacium*.[42] Certainly *techne* and *mechane* are *voces mediae*, which only in the form of their pejorative cognates (and even then rarely) cast an unseemly shadow on the concept of stratagem.

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[38] *Kakotechnos*: Il. 15.14; LSJ[9] s.v.; *kakomechanos*: Il. 6.344, Od. 16.418; LSJ[9] s.v.

[39] On anti-deceit clauses see Wheeler, *GRBS* (1984) 253–74.

[40] Heraclitus, *FVS*[6] 22 B 129 = D.L. 8.6; Gorg., *Pal.* 3 = *FVS*[6] 82 B 11a; Pl., *Leg.* 11.936d; Dem. 46.10, 47.1, 49.56; Plescia 90. Cf. LSJ[9] s.v.

[41] Hdt. 6.74.1; Dem. 46.25; *Staatsvertr.* 481. Cf. LSJ[9] s.v. A positive adjective *eutechnetos* (skillfully made) first occurs in Hellenistic texts, but lacks stratagemic use: see LSJ[9] s.v.

[42] Plb. 13.3.2; schol. *ad* Il. 21.331; App., *Hisp.* 81. Other use of the adjective, the adverb, and even the noun *eumechania* have no stratagemic significance. See LSJ[9] s.v.

Apate is both more problematic and more revealing, since in Homeric usage conjunction of the noun with a pejorative adjective does not necessarily indicate a more negative and disapproving tone than the noun used alone. The paradox results from two different meanings of the word—simple deceit and perfidy. In the agreement for a *monomachia* between Menelaus and Paris to decide the Trojan War, both the Achaeans and the Trojans swear that only these two warriors would fight and both sides would abide by the outcome. But Aphrodite, after rescuing Paris from Menelaus' clutches, persuades Pandarus to shoot Menelaus with an arrow. Thus a Trojan breaks the oath and Agamemnon calls upon Zeus to punish this *apate* (Il. 3.67–4.168). In contrast, Agamemnon pretends to complain of the *kaken apaten* (wicked deceit) of Zeus in a speech intended to stir up Achaean spirits for fighting. Zeus, he alleges, had promised him victory at Troy, but now urged him in a dream to return home in failure (Il. 2.114).

Certainly treachery and breaking an oath as violations of human and divine law are more serious than simple deceit, but a general pejorative tone for *apate* in Greek cannot be argued from Il. 4.168.[43] Homer is not consistent in labeling all breaches of faith *apate*, and in Classical Greek more specific terms than *apate* appeared for the various acts of perjury, breaking agreements, and lying.[44] Furthermore, a pejorative tone for *apate* cannot be argued from tendentious statements of preference for the Achilles ethos, i.e., open force is better or more honorable than *apate* (e.g., Thuc. 4.86.6). Judgement of the issue requires an impartial arbiter.[45]

Homer's *kake apate*, however, aroused commentary in the scholiasts and identification of *apate* as a *vox media*. An unknown scholiast writes: "*Apate* is also just. Aeschylus: 'God does not stand aloof from just deceit.' And who would believe that God plans things hostile to him?" Eustathius speaks in a similar vein with the same quotation: "Aeschylus makes it clear that *apate* is not only bad but also good, when he said ... *Apate* would be good at the proper time and not even injurious. Related to this opinion is the statement of Herodotus: 'Sometimes a lie must be said. Let it be said.' So also is Odysseus tricky in a praiseworthy fashion and every other general."[46] Comparison of these passages with other Stoic senti-

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[43] Cf. Arnaud 29 n. 5.

[44] Il. 3.276–91, 4.234–37, 7.351–53 cf. Ch. II n. 89.

[45] Karavites infers from the passage that Thucydides had a negative attitude toward stratagems—a view difficult to reconcile with Thuc. 5.8.2, 9.4–7. See Peter Karavites, *Capitulations and Greek Interstate Relations* (Hypomnemata 71: Göttingen 1982) 113–14 and "Greek Interstate Relations and Moral Principles in the Fifth Century B.C.," *PP* 216 (1984) 185–86, where his earlier position is modified. Cf. Ch. II n. 40.

[46] Schol. *ad* Il. 2.114; Eust. *ad* Il. 2.114, 118; Hdt. 3.72.4.

ments in Eustathius on just deceit by a wise man suggest that *apate* also belonged to the vocabulary of *dolus bonus*.[47] Aeschylus, however, long antedates Stoicism. A longer version of the fragment appears in the *Dissoi Logoi*, where the anonymous sophist cites it to justify a number of rusé acts:

> God does not stand aloof from just deceit. God sometimes prizes an opportunity for lies.

Nor is the idea in Aeschylus limited to this fragment, since he wrote in the *Persae*:

> What mortal man will escape the wily deceit of God?[48]

Although *apate* as "perfidy" may invoke reproach, *apate* in its more general and common sense as "deceit" is a *vox media*. From the fifth century B.C., if not already from Homer, *apate* could be just and good. Not only the Stoic wise man could deceive with approval, but also God. Thus Christians could easily add *apate* to their positive vocabulary, just as John Chrysostom writes in the late fourth century:

> Great is the power of *apate*. Let it be applied not exclusively with a treacherous purpose, but rather one must not even call such a thing "deceit" but management, wisdom and an art sufficient to discover many avenues in trackless situations and to tune a discordant soul .... It is also possible to use the power of *apate* for good, but rather one must not even call such "deceit" but a marvelous management.[49]

Unlike the problem of *apate*, discussion of *phronesis* in Ch. II demonstrated an entirely positive word. How negative could "prudence" possibly be? Nevertheless, just as Matt. 10:16 elicited St. Augustine's discussion of *astutia* as a *vox media*, the same passage provoked Basil the Great of Caesarea to argue a double meaning for *phronesis*:

> Therefore we know that *phronesis* is one of the principal virtues, according to which we become men acquainted with the good, the bad, and the indifferent. Quite clearly the prudent man takes his epithet through derivation from *phronesis*. How then is it attested that the snake is the most prudent of the beasts? To quote the Lord again: "be prudent as the snakes." The prudent man is the supervisor of evil. Or is it evident that there is a double

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[47] Cf. n. 37 *supra*.

[48] *Dissoi Logoi* 3.11 Robinson = Aesch. fr. 601 Mette, *Pers*. 107–108.

[49] Joh.Chrys., *De sacerd*. 1.9, 2.1, *PG* 48, 631: Πολλὴ γὰρ ἡ τῆς ἀπάτης ἰσχύς· μόνον μὴ μετὰ δολερᾶς προσαγέσθω τῆς προαιρέσεως. Μᾶλλον δὲ οὐδὲ ἀπάτην τὸ τοιοῦτο δεῖ καλεῖν, ἀλλ' οἰκονομίαν τινὰ καὶ σοφίαν καὶ τέχνην ἱκανὴν πολλοὺς πόρους ἐν τοῖς ἀπόροις εὑρεῖν, καὶ πλημμελείας ἐπανορθῶσαι ψυχῆς ... Ὅτι μὲν οὖν ἔστι καὶ ἐπὶ καλῷ τῇ τῆς ἀπάτης κεχρῆσθαι δυνάμει, μᾶλλον δὲ ὅτι μηδὲ ἀπάτην δεῖ τὸ τοιοῦτο καλεῖν, ἀλλ' οἰκονομίαν τινὰ θαυμαστήν.

> meaning of *phronesis*? One is the guarding of one's own advantage with the plotting against a neighbor, just as that of the snake protecting his life. This seems to be mischievousness in morals, keenly discovering personal profit and robbing the more naïve. This sort of thing is the prudence of the supervisor of evil. But true *phronesis* is discernment of what must be done and what must not be done, following which one never abandons works of virtue and never participates in the plague of wickedness.[50]

Like Augustine, Basil manipulates the concept of *vox media* as a device to demonstrate the new Christian interpretation of a pagan concept. Of course his negative view of the other meaning of *phronesis*, whose pagan advocacy is implied, is just as false as Augustine's pretense that pagans used *astutia* only negatively. Basil's point, as his discussion continues, is rejection of pagan philosophy and rhetoric, especially sophistry, with the implication that if Eve had been prudent, the snake would not have persuaded her to take the apple.[51] Basil, however, is engaging in sophistry of his own. His distinction of the good, the bad, and the indifferent is standard Stoic doctrine,[52] and his discussion of *phronesis* is only a prologue to discussion of another *vox media* and another Stoic idea put to Christian use.

Panourgia, a pejorative term of the fifth century B.C. Athenian stage, acquired a neutral tone (as argued earlier) in the Hellenistic period. Its rise to respectability continued in Late Antiquity, when Basil asserted its property as a *vox media*.

> *Panourgia* is the doing of all things with crafty refinement, just as *kakourgia* is the practice of evil alone. Since the *panourgos* engages in every practice and in all things there is evil, the appellation of *panourgos* has a double meaning. The bad *panourgos* is the one using the purpose of his works for the harm of others; the praiseworthy *panourgos* is the one keenly and intelligently discovering his own good and escaping the injuries craftily and treacherously fashioned for him by others. Therefore pay sharp attention to the meaning of *panourgia*, and recognize that it has a neutral property, according to which

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50 Basil, *Hom.* XII, *in princip.Prov.* 6, 11–12, *PG* 31, 397–400: Τὴν φρόνησιν τοίνυν ἐπιστάμεθα οὖσαν μίαν τῶν γενικῶν ἀρετῶν, καθ' ἣν ἐπιστήμονες γινόμεθα ἀγαθῶν καὶ κακῶν καὶ οὐδετέρων οἱ ἄνθρωποι. Ὁ δὲ φρόνιμος δηλονότι παρωνύμως ἐκ τῆς φρονήσεως προσηγόρευεται. Πῶς οὖν φρονιμώτατος ὁ ὄφις πάντων τῶν θηρίων μεμαρτύρηται γεγενῆσθαι; Καὶ πάλιν ὁ Κύριος· Γίνεσθε φρόνιμοι, ὡς οἱ ὄφεις. Καὶ φρόνιμος ὁ οἰκονόμος τῆς ἀδικίας. Ἦ δῆλον, ὅτι διπλοῦν (12) ἐστι τὸ τῆς φρονήσεως ὄνομα; Ἡ μὲν γάρ τίς ἐστι φυλακὴ τοῦ οἰκείου συμφέρcντος μετὰ τῆς τοῦ πλησίον ἐπιβουλῆς, οἵα ἡ τοῦ ὄφεως, τὴν κεφαλὴν ἑαυτοῦ συντηροῦντος. Ἥδε τις ἔοικεν εἶναι κακεντρέχεια τρόπων, ὀξέως τὸ ἴδιον λυσιτελὲς ἐξευρίσκουσα, καὶ συναρπάζουσα τοὺς ἀκεραιοτέρους· ὁποία ἡ τοῦ οἰκονόμου τῆς ἀδικίας. Ἡ δὲ ἀληθὴς φρόνησις διάγνωσίς ἐστι τῶν ποιητέων καὶ οὐ ποιητέων· ᾗ ὁ κατακολουθῶν οὐδέποτε μὲν τῶν τῆς ἀρετῆς ἔργων ἐκστήσεται, οὐδέποτε δὲ τῷ ὀλέθρῳ τῆς κακίας περιπαρήσεται.

51 Carcaterra 158 cf. Basil, *Hom.* XII, 12, 42, *PG* 31, 412.

52 E.g., D.L. 7.93; *SVF* I nos. 190–96, III nos. 117–68.

> the one using it with a wholesome purpose for the benefit of himself and his neighbors is acceptable, and the one pursuing this for the harm of his neighbors, using this practice as a starting point for destruction, is condemned.
> History is full of the use of this practice in both its aspects. It was *kale panourgia* when the Hebrews tricked the Egyptians, both having taken pay for the construction of their cities and after procuring for themselves wood for their tabernacle.

Basil continues with a list of examples of *kale panourgia* and *ponera panourgia* from the Old Testament. The innocent are too gullible, Basil argues, and they need *panourgia* in the affairs of life. Otherwise, like Eve, they might be tricked by the snake.[53]

Basil's view of *panourgia* as a *vox media* requires little comment. His *kale panourgia* amounts to Stoic *dolus bonus* dressed in Christian raiment, and in general his views of *panourgia* correspond to the presentation of *phronesis* earlier in the same homily. Nor is the positive use of *panourgia* original with Basil, for Plutarch (*Mor.* 91B–C) long before had asserted that *panourgia* against an enemy is just.

Basil's justification of Christian *panourgia*, however, reveals something basic about the Greek attitude toward stratagem. Rusé words, especially in English translation, may initially appear to have a negative tone, but are actually *voces mediae* used neutrally or positively regarding stratagems. Indeed Greeks seem to expect trickery and to take delight in it. This is also Basil's point. Whereas the Romans spoke of adding *dolus* to *virtus*, Greeks knew naivety invites exploitation and disappointment. Trickery in war, as in life, is to be expected from opponents and one should be prepared for it and be able to deceive a deceiver.[54] Proponents of the Achilles ethos make basic assumptions about honor and obedience to un-

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53 Basil, *Hom.* XII, 11, 38–12, *PG* 31, 409–12: Ἔστιν οὖν ἡ πανουργία ἐνέργεια πάντων κατ' ἐπιτήδευσιν τεχνικήν· ὥσπερ ἡ κακουργία ἡ μόνου ἐστὶ τοῦ κακοῦ ἐργασία. Ἐπεὶ οὖν πᾶσαν ἐργασίαν παραδέχεται ὁ πανοῦργος, ἐν τοῖς πᾶσι δὲ καὶ τὰ φαῦλά ἐστι, δύο σημαίνει ἡ τοῦ πανούργου προσηγορία. Καὶ ὁ μὲν ἐπὶ βλάβῃ ἑτέρων τῇ ἐπινοίᾳ χρώμενος τῶν ἔργων, πονηρός· ὁ δὲ ἐπαινετὸς πανοῦργος ὁ ὀξέως καὶ συνετῶς τὸ οἰκεῖον ἀγαθὸν ἐξευρίσκων, καὶ τὰς δολίως καὶ ἐπιβούλως παρ' ἑτέρων αὐτῷ βλάβας σκευωρουμένας ἀποδιδράσκων. Πρόσεχε οὖν ἀκριβῶς τῷ τῆς πανουργίας ὀνόματι· καὶ γίνωσκε, ὅτι μέση τις ἕξις ἐστί, καθ' ἣν ὁ μὲν ἐν προθέσεως (39) ὑγιοῦς ἐπ' ὠφελείᾳ ἑαυτοῦ καί τῶν πλησίον αὐτῇ κεχρημένος ἀποδεκτός, ὁ δὲ ἐπὶ βλάβῃ τῶν πέλας μεταχειριζόμενος αὐτὴν κατεγνωσμένος, ἀφορμῇ πρὸς ἀπώλειαν τῷ ἐπιτηδεύματι χρώμενος.

Πλήρης δὲ ἡ ἱστορία τῆς ἐφ' ἑκατερα χρήσεως τοῦ ἐπιτηδεύματος. Καλὴ πανουργία τῶν Ἑβραίων κατασοφισαμένων τοὺς Αἰγυπτίους, καὶ τόν τε μισθὸν τῆς ἐργασίας τῶν πολέων (40) ἀπολαβόντων, καὶ ὕλας ἑαυτοῖς πρὸς τὴν σκηνὴν συμπορισαμένων. Carcaterra 157; *kale panourgia*: Gen. 27:15, 31:34ff; Ex. 1:17; Jo. 2.4ff; *ponera panourgia*: Jo. 9:4ff; 2 Sam. 15:4ff.

54 Compare the Greek proverbs still cited in the Renaissance: *Suda* s.v. Πρὸς Κρῆτα κρητίζων (playing a Cretan to a Cretan) cf. Diogen. 5.58, Greg.Cyp. 2.81, Apostol.

written rules. Carried to an extreme, this view promotes deception and defeat as its consequences.

The Greek and Latin vocabularies for stratagem have much to tell us about ancient attitudes toward this concept and how it was perceived. In neither language did a single source feed the ancient stream of thought on this idea, but rather currents of philosophy, law, psychology, and athletics swirl within it. Except for a small minority of terms intended to cast ripples of moral reproach across its surface, a positive current flows steadily within the bounds of this concept. Yet dark undercurrents are also present: stratagem manipulates the unexpected and can produce miraculous results. Secrecy, mystery, and even magic find reflection in its operation. In general, however, Greeks and Romans preferred to call stratagem not *strategema*, but a trick, a plan, wisdom, prudence, cleverness, and craft. "War must be waged with cleverness," as Silius Italicus says. "Praise for might is less significant in a general."[55]

Furthermore, stratagem embraces both the tactical and the strategic spheres. A surprise attack can be either, just as a tactical feigned retreat can employ the same principle as a strategic withdrawal. No specialization in either the Greek or Latin vocabularies can be discerned for strategic as opposed to tactical stratagems.[56] Indeed, as the Renaissance jurist Gentili noted, stratagems pervade not one part of war, but can be seen in all its parts.[57]

Recovering the ancient attitude toward stratagem is not an easy task in the twentieth century. The modern Western mind has been conditioned to venerate the virtues of truth, justice, and honor and to abhor the duplicity and machinations of Machiavellianism. Christianity and the Western preference for an Achillean hero esteem frankness and the straightforward approach—what the Greeks called *haplotes* and the Romans *simplicitas*.[58] Yet a vestige of the ancient attitude toward stratagem can be glimpsed in the remarks of a commentator on the modern Greek character:

> Indeed, trickery in the eyes of the Greek is almost a virtue, the reliable index of intelligence .... "Fox" amounts to the most desired title which the

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10.7; Diogen. 5.92 and Apostol. 10.6: Κρῆς πρὸς Αἰγινήτην (a Cretan to an Aeginetan). Both mean "to lie to a liar."

55 Sil., *Pun.* 5.100: *bellendum est astu: levior laus in duce dextrae.*

56 Strategic: e.g., Onas. 11.1–5; Tac., *Ann.* 2.26.6, 6.32.1; App., *Mith.* 67. Cf. *obreptio* for tactical surprise in Front., *Strat.* 2.5.36 and *obrepere* for strategic surprise in Florus 2.20.2–3.

57 Alberico Gentili, *De iure belli* (Classics of International Law 16: Oxford 1933) I, 142 (2.3): *Atque in bello gerendo aliquid est, quod eius partes omnes pervadit, dolus et stratagema, de quibus scilicet non una in parte belli, sed in omnibus dispici potest.*

58 Cf. Carcaterra 140–43.

> Greek has to bestow or to receive. Nothing is more false than to charge him with unscrupulousness; he obeys strong rules—rules admittedly more of a sportingly artistic than judicial character .... And in no country of Europe are thievery and robbery so rare as in Greece—these attest the stupidity of someone who does not know how to help himself with trickery, and that means intelligence.[59]

So too stratagems, the fruit of a general's genius, denoted for Greeks and Romans not unscrupulous treachery, but astute intelligence in playing the game.

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[59] Johannes Gaitanides, *Griechenland ohne Säulen* (Munich 1955) 10–11. My translation. Cf. P. Walcot, "Odysseus and the Art of Lying," *AncSoc* 8 (1977) 1–19.

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